

HOUSE OF REPRESENTATIVES—Monday, February 3, 1992

The House met at 12 noon.

The Reverend Phillip D. Washington, pastor of Laymen Chapel C.M.E. Church, South Bend, IN, offered the following prayer:

Almighty and everlasting God, bless our land with honorable industry, sound learning, bless our country, that it may ever be a stronghold of peace, and an advocate of peace. Defend our liberties, preserve our unity. Bless the families of this Nation. Give these persons, whom we intrust with the authority of governance, the spirit of wisdom. Grant unto them a clear vision to perceive those things which in our social order are amiss, give them true judgment, courage, and perseverance. Rule their hearts and bless their endeavors, that we may truly be one nation under God, indivisible, with liberty and justice for all, and we will evermore give You the praise. May God's grace and peace be with each of you, now and forevermore. Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana [Mr. ROEMER] come forward and lead the House in the Pledge of Allegiance.

Mr. ROEMER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE REVEREND PHILLIP D. WASHINGTON

(Mr. ROEMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROEMER. Mr. Speaker, I rise to welcome Rev. Phillip D. Washington, pastor of Laymen Chapel Christian Methodist Episcopal Church in South Bend to Washington, DC. He is joined today in the Chamber by his wife, the former Ernestine Singleton of St. Louis, MO, and their two daughters, Tyna and Terrea, and members of their congregation.

Reverend Washington and the people of Laymen Chapel C.M.E. have traveled to Washington at great expense and I join with my colleagues in welcoming everyone here today. We are honored by their visit.

His visit is a special honor because Reverend Washington offered the prayer at the opening of today's session of the House of Representatives. With

this prayer, Reverend Washington has for the first time in many years represented the Third Congressional District of Indiana as the guest chaplain.

Mr. Speaker, this is a great privilege for the people of the Third Congressional District to have Reverend Washington with us this morning and the distinguished guests who joined him from South Bend, IN.

It is also a special privilege because of the enormous contributions Reverend Washington has made to the people of South Bend. His commitment to the community includes service on the board of directors of the Martin Luther King, Jr., Foundation in South Bend, work with the National Association for the Advancement of Colored People, and service on the board of directors of the United Religious Community.

Just last week Reverend Washington helped organize over 500 people for the Martin Luther King Day celebration in South Bend.

There are many more honors, Mr. Speaker, that could be articulated about Reverend Washington, but I think it is best said that Reverend Washington is a man who truly offered his life to the Lord, working each day to improve the conditions for all of humanity.

A SALUTE TO THE TRAVEL AND TOURIST INDUSTRY

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, it is time that we in Congress salute an industry that is providing jobs and increasing jobs right here in America. I am speaking of the fabulous travel and tourist industry, 5.7 million jobs, 5.7 million new jobs last year alone. Not only does travel and tourism create jobs, but it produces revenue and taxes for the Government, taxes our citizens otherwise would have to pay.

Imagine, almost \$44 billion in Federal, State, and local taxes were collected last year alone in tourism just from foreign visitors.

Now we have a new initiative. At the Federal level we here in the Congress who want to create new jobs are endorsing a bill. It is in conference now. It has passed the House and the Senate. It is H.R. 418.

First, it reauthorizes and rejuvenates the U.S. travel and tourist agencies.

Second, it reduces redtape and regulations and reduces Government taxes

on businesses affected by travel and tourism.

Third, it creates a Rural Tourism Development Foundation for rural America. It is going to be a real shot in the arm for tourism in rural America.

For Members of Congress and all Americans who wish to promote jobs and help our economy across the board, H.R. 418 when it is signed into law will do just that.

Mr. Speaker, I salute all those Americans who are dedicated to travel and tourism, this amazing industry.

PASS EXTENSION OF UNEMPLOYMENT BENEFITS

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, I am not one to stand on ceremony or worry too much about who in this Chamber or in this town gets credit for something good. But, the other evening as I sat here in the Chamber and watched the President on his State of the Union Address, I was a little, I guess, quizzical about his taking credit for having passed the unemployment extension bill. As we know, Mr. Speaker, it took us three separate tries before the extension finally got past the hurdle. In any event, it is a good bill, and we are glad to have finally passed that first extension of unemployment benefits for the long-term unemployed.

Now, things have changed because tomorrow under a Suspension of the Rules reserved for noncontroversial measures, we will pass another extension, another 13 weeks of unemployment benefits for the long-term unemployed.

These, Mr. Speaker, are helpful steps. But, they are actually Band-Aid solutions. We have a more serious problem underlying. I hope that before too many weeks elapse we can develop an overall economic package to spur American business and to put workers back to work. But, in the meantime, it is good to know that we now can move an unemployment extension, and that both the Congress and the White House are of a mind on this very important first step.

THE PRESIDENT'S COMPREHENSIVE DRUG STRATEGY

(Mr. OXLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. OXLEY. Mr. Speaker, as a member of the Select Committee on Narcotics Abuse and Control, I welcomed last week's release of the fourth national drug control strategy, and I applaud the leadership of President Bush and Governor Martinez.

Under this President, overall drug use has dropped 13 percent, and adolescent drug use has dropped 27 percent. Drug use by high school seniors has dropped to its lowest level since the senior survey began in 1975.

To ensure further success, the new strategy seeks a 6-percent increase in antidrug funding, which amounts to a 93-percent increase since the President took office.

Contrary to what some have alleged, the strategy does not overemphasize supply reduction. There are certain activities which only the Federal Government can undertake, such as helping producer nations destroy drug crops, patrolling our international borders, and taking meaningful steps against money laundering. This is where our primary responsibilities lie.

Meanwhile, the strategy recognizes the key role of State and local governments in drug control, places new emphasis on the problems of hard-core drug usage, and undertakes new initiatives to combat teenage drinking. This is a truly comprehensive package. Let us enact its legislative elements this year.

MOVE FORWARD WITH PRESIDENT'S ECONOMIC PROGRAM

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, I have been in Wyoming nearly constantly since the first part of December. People are saying that if there is a role for the Government to strengthen the economy, let us get on with it. This is a joint Government. This is the President. This is the Congress.

Some of us have been interested in having a package since November when we brought one.

The majority party says no, they have not had a chance to read it. Let us wait.

Then they said, no, let us hear what the President has to say. Let us wait.

Now the President has laid out his package. The majority party has been busy criticizing the President's package and they say let us wait.

Now, Mr. Speaker, we have been here for 3 weeks. The leadership has now to give leadership. Instead of listening to Ann Richards' little quips, we ought to move forward doing something about an economic package.

Let us not let partisan bickering keep us from doing what we need to be doing.

Mr. Speaker, it is time that if the majority does not like the President's package, they need to say so, but let us move forward, let us not wait.

□ 1210

AMERICA'S VETERANS HAVE LONG MEMORIES

(Mr. APPELGATE asked and was given permission to address the House for 1 minute.)

Mr. APPELGATE. Mr. Speaker, once again the administration has failed to keep its promise to the American veterans.

Congress, in the 1990 budget, delayed by 1 month a COLA to its service-connected disabled American veterans to be paid on February 1 of 1992. That date came, and that date went, and there is no COLA.

I am told by the Veterans' Administration that they will not get it in March and it is only a possibility that they will get it in April.

Mr. Speaker, as chairman of the Subcommittee on Disability Compensation of the Committee on Veterans' Affairs, I am demanding that the administration pay that money to the disabled veterans now.

Mr. Speaker, I remind the President of the United States that American veterans have a long memory, and so do all Americans who respect what American veterans have done to earn it.

HOUSE SHOULD INVESTIGATE SE- RIOUS PROBLEMS WITH THE HOUSE POST OFFICE

(Mr. ROBERTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROBERTS. Mr. Speaker, over the last several days Members of this Chamber have been aghast at a continuing series of news reports regarding serious problems with the House Post Office. The charges include drug trafficking by staff, embezzlement, and theft of postal funds. There are allegations of a slush fund used to provide interest-free loans to Post Office staff and even Members and to cover bad checks.

These charges are serious. They reflect both on this institution's credibility and on our ability to carry out our normal business on behalf of our constituents. I am most concerned, Mr. Speaker, at allegations that some staff and even some Members may have known about these problems for several months, yet failed to bring them to the attention of committees and subcommittees of jurisdiction. My own Personal and Police Subcommittee of the House Administration Committee, for example, has never been informed about these problems. It was only after

reading news accounts of the problems that we asked for a briefing from postal inspectors.

This morning's Washington Times made further allegations that some staff knew about the problems but failed to act.

The importance of this mess cannot be overestimated. There is a need to act decisively and quickly to ensure that, first, any criminal activity is prosecuted to the full extent of the law and, second, that management changes are made to prevent such a mess in the future.

Today, I urge that the following steps be taken by the House leadership with full cooperation and assistance of the minority:

Appointment of an independent counsel, with adequate funding and staff, to investigate these charges and report back to the House.

The U.S. Postal Service be given immediate control over money and stamps at the House of Representatives facility and that all managers and supervisors involved be suspended pending the independent review.

With completion of the independent counsel's review, a bipartisan task force should be created to address the longterm difficulties/structural inadequacies found by counsel's inquiry. Steps should be taken to fully address the issues raised.

WE NEED TO CREATE MORE JOBS: AMERICANS ARE NOT LAZY

(Mr. LEVIN of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, tomorrow we will take up extension of benefits for long-term unemployed. Unlike last year, this bill will have the President's support.

Why two vetoes last year and support this year? The answer is in the various press reports. The President's advisers told him that this was an election year, it was too risky to oppose extension of unemployment benefits.

We welcome the President's support, but it is important he do more than put his finger to the political wind. The American economy is sick. People are laid off from all walks of life. They want more than gimmicks as an answer. They want more than proposals to cut taxes for the rich in the hope it will trickle down to middle-income groups.

In Michigan we see the results. The results are that employers are facing extra taxes to replenish the unemployment fund. Senator CARL LEVIN of Michigan has proposed a way to cushion the blow for these employers. With the support of Chairman ROSTENKOWSKI, we were able in the committee to insert that cushion in the bill coming before the House tomorrow.

We need, however, to go beyond this bill and create jobs. Americans are not lazy. I repeat, they are not lazy.

We want jobs and business opportunities.

The time to act is long overdue.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MAZZOLI) laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC, January 30, 1992.

Hon. THOMAS S. FOLEY,

The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 5 of rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 3:15 p.m. on Thursday, January 30, 1992 and said to contain a message from the President whereby he transmits the Fourth Biennial Report of the Interagency Arctic Research Policy Committee.

With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,
Clerk, House of Representatives.

BIENNIAL REPORT OF THE INTER- AGENCY ARCTIC RESEARCH POL- ICY COMMITTEE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science, Space, and Technology.

(For message, see proceedings of the Senate of Thursday, January 30, 1992, at page 1015.)

UNITED STATES LOOKING FOR A NEW PATH AS SUPERPOWER CONFLICT ENDS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. ALEXANDER] is recognized for 5 minutes.

Mr. ALEXANDER. Mr. Speaker, last Saturday evening, February 1, 1992, I was honored to have been invited to address the annual meeting of the Brinkley, AK Chamber of Commerce.

During my remarks, I attempted to outline some of the issues facing our Nation as we begin to focus on the post-cold-war era.

On the Sunday morning flight to Washington, I read the following article from the New York Times by Joel Brinkley. "U.S. Looking for a New Path as Superpower Conflict Ends" is the first of six articles to be published by the Times.

The United States ended World War II the globe's unquestioned leader, the

only nation to enter the postwar era at full industrial capacity and in possession of nuclear weapons. As a result, from 1945 into the late 1950's, we were enormously confident in our economic institutions, and our social structure, including the schools. The Germans and the Japanese had to rebuild.

But what is now becoming apparent is that World War II fostered a fundamental restructuring of the world economy. The Germans, Japanese, and others restructured their societies, including their school systems, to suit the emerging high-tech era. But American education stuck to a pattern that was largely set earlier in this century.

There were important exceptions, it is pointed out in the article, "but general American education underwent a mindless continuation of the existing system."

This neglect of our education system was due, in part, to the fact that for nearly half a century the United States was driven by the fear of communism.

There are other issues to be addressed: economics, energy, trade, and many more.

With the enemy removed, the question is, will our Nation now be guided by our own ideals, or "will we fall back to the old easy way of divide and blame in order to mobilize the people out of fear?"

I am certain that my constituents will be interested in the Times series. Accordingly, I append the first article to these remarks for their consideration of this timely issue.

U.S. LOOKING FOR A NEW PATH AS SUPERPOWER CONFLICT ENDS

(By Joel Brinkley)

WASHINGTON, February 1.—Like many Americans of his generation, 42-year-old John Driscoll holds many memories of the cold war, particularly the fear that came with the air raid drills at school, when he and the other students crawled under their desks, practicing for the day the Soviet hydrogen bombs fell.

"It seems surreal now," he recalled recently, a short time after the Soviet Union formally announced its demise. "Every summer, when I heard heat lightning over the city and the sky would light up, I was convinced it was all over. My whole childhood was built on the notion that the Soviets were the real threat."

Today, Mr. Driscoll is a teacher of economics and government at a high school just outside Washington. Working with Junior Achievement, he is helping to coordinate food shipments to Moscow, the capital of the empire that terrified him as a child. And on a recent visit to Moscow, he said, he found that "these folks have absolutely no confidence in themselves."

Across the country, planners, academics, Government officials and many ordinary Americans are reassessing their view not just of the former Soviet Union but of America as well—trying to understand how the political and military rivalry with the Soviets altered Americans' lives over the last 45 years, what false assumptions it engendered and how the United States should change now that the cold war is over.

"We're confused," said Robert Jay Lifton, a psychiatrist who is director of the Center

on Violence and Human Survival at John Jay College of the City University of New York. "People no longer know how to view the world or how to understand our own national problems, which have to some degree been subsumed by the cold war."

The rivalry between Moscow and Washington so dominated the world's diplomacy, commerce and even its culture that it is no wonder Americans are finding it difficult to adapt.

The two nations that emerged with the strongest militaries when World War II ended spent the next 45 years waging multi-layered competitions, first in Europe, then Asia, Africa and Latin America.

With constant coaching from their Government, most Americans came to believe that the Soviet goal was to impose its system on the entire world, as it had on Eastern Europe between 1945 and 1948. So the United States embraced "containment"—halting the spread of Communist ideology and its presumed influence on American society.

America threatened war to break a Soviet blockade of West Berlin in 1948-49 and airlifted tons of food to the stranded enclave. It also spent billions of dollars to resurrect the economies of Western Europe and fought the Korean War from 1950 to 1953.

The first Soviet nuclear test was in 1949, and the Soviet Union grew toward nuclear parity with the United States until each nation had the power to destroy the other in an instant. The knowledge that each side had weapons so fearsome that they could never be rationally fired left the constant hope that no matter how bitter it grew, the war would always remain "cold."

But even as they tried to settle their scores by proxy wars and diplomatic confrontations, the two sides continued to flirt with mutually assured destruction. The severest test of nerve, and perhaps America's greatest single cold-war victory, came in 1962 when President Kennedy forced Khrushchev to withdraw Soviet missiles from Cuba.

America's single greatest defeat of the period was surely the Vietnam War, with the devastating social and political turmoil that came with its loss.

In the service of containment, the United States ringed the Soviet empire with military bases and built anti-Soviet alliances wherever possible the world over. This competition cost the United States several trillion dollars—no one has a real account—and more than 100,000 lives. And the domestic ramifications permeate American society to this day.

The drive to ferret out Communist influence at home made perceived "loyalty" a major preoccupation of governments, police agencies, school boards and even social organizations.

The fears of subversion and betrayal were fed by several sensational trials, like those of Alger Hiss for perjury and Julius and Ethel Rosenberg for espionage. And they fed demagogic attacks on thousands of citizens by Senator Joseph R. McCarthy and his imitators.

The fears abated little until the mid-1980's. And by then America was fully and perhaps irreversibly engaged around the world.

When the cold war ended, the United States had 375 foreign military installations staffed by more than 500,000 servicemen and women worldwide. Its diplomatic engagement was just as extensive; through the 1980's America backed its bid for world influence with more than \$16 billion in foreign aid each year. And American businesses were selling their products and services worldwide.

But now that the great conflict has at least run its course, Americans are facing not just the giddy spectacle of a grand, global political victory. Behind it lies a quandary of historic dimensions, as disorienting as any this nation has ever faced.

Over the next several days The New York Times will examine how the cold war's end has affected major American institutions and what sorts of changes may lie ahead. Politicians, intelligence officials, foreign policy experts, military analysts along with military-industry scientists and engineers all say they realize that the major force that has directed them these last four decades no longer exists. But few of them have clear ideas of what their new missions should be.

IMAGES: POPULAR CULTURE WIDELY INFLUENCED

For most Americans it will be difficult to forget the cold war's pervasive influence on American entertainment and culture. Cold war themes were the subject of uncounted novels, pop songs, art work and more. Many of the most indelible images came from films.

Among them was the scene from "Dr. Strangelove," the 1963 black comedy, showing Slim Pickens waving his cowboy hat, shouting, "Yahoo, Yahoo!" as he rode the hydrogen bomb down toward its target, a missile field in Russia.

Cold war images permeated films until the very end. In "Rocky IV," released in 1985, Sylvester Stallone battled a superhuman-seeming, steroid-grown Soviet boxer who warned him darkly, "I will break you." Moments later he fell bleeding to the floor, another stunned victim of underestimated American might.

But already, film images are changing, too, demonstrating that America is not entrapped by cold war stereotypes, no matter how memorable.

In "Star Trek VI," playing in theaters now, the Klingon empire is in collapse, and its chancellor, not coincidentally named Gorkan, wants to make peace, meaning "an end to almost 70 years of unrelenting hostility that the Klingon empire can no longer afford," as the character Spock observes.

Nicholas Meyer, the film's director, said Leonard Nimoy, who plays Spock, proposed the film in 1990, just as the Berlin wall was falling, saying: "The Klingons have always been our stand-in for the Russians. What about a Berlin wall coming down in space?"

But in the Star Trek film, as in American political life, the prospect of losing an enemy leaves the leaders fearful and uncertain.

"I was used to hating Klingons," William Shatner, as Captain Kirk, mutters wistfully.

LEGACY: GIVING UP SECRECY IS HARD TO DO

When Steven Garfinkel delivers a lecture to Federal security professionals, he begins by showing them a slide that invariably leaves them perplexed.

Mr. Garfinkel is director of the Information Security Oversight Office, the Federal agency that coordinates Government policy on classified documents. Late last year, he turned to his slide as he spoke to a gathering of Defense Department security specialists at a training seminar in Richmond, Va.

It listed the names of 12 Government agencies involved in intelligence or security policy, including the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency and Mr. Garfinkel's own office.

"What do all these agencies have in common?" he asked.

"They're all defense- or security-related," one man shouted. "All of them were formed after World War II," offered another. But these were not the answers Mr. Garfinkel was after.

With some coaxing, he finally led his audience to the response he wanted: All of the agencies were products of the cold war. Across the room members of the audience nodded.

Then came Mr. Garfinkel's next question: "With the cold war over, which ones can we get rid of?"

"They didn't have any suggestions for deleting any of them," Mr. Garfinkel recalled.

As Mr. Garfinkel and others attest, the cold war gave birth to a Government culture of secrecy and clandestine activity that had never existed before to any great degree, except in wartime.

Before the cold war, the nation did not even have a formal system for classifying documents, though some agencies did keep secrets. Today, however, Government officials classify almost seven million documents a year—so many that Washington has an agency to coordinate policy for keeping secrets.

But with the cold war's end, some people are asking whether all this secrecy is still needed. In July, the Federation of American Scientists began publishing the Secrecy and Government Bulletin, declaring in its first edition that "in the cold war era, secrecy driven by fear and the politics of superpower rivalry became deeply imbedded in national affairs and led to serious political, moral, financial and environmental abuses."

"The end of the cold war provides an unsurpassed opportunity to rectify this problem," it added.

The bulletin's editor, Steven Aftergood, said that government secrecy had often prevented Congress and the public from "paying attention to abuses, wasted money, failed programs" and that "a whole realm of government is beyond any pretense of democratic decision-making."

Some in Congress are arguing the same case. Late last year, speaking about one area of classified data, Representative George E. Brown Jr., a California Democrat, complained that "what is totally stupid is that we have a classification system which persists in perpetuating the fiction that this material is secret and that such a fiction contributes to our national security."

But even with the cold war over, Mr. Aftergood, Mr. Garfinkel and others say the Government has offered no plans to reduce the number of materials stamped secret each year.

"I think it's fair to say that no one's talking yet about changing anything," Mr. Garfinkel said. "It looks like this cold war institution is going to be institutionalized beyond the cold war."

EDUCATION: NEED FOR CHANGE IS LONG OVERDUE

When Allen Barrow was teaching high school seniors in suburban Washington in the 1950's and '60s, "everybody expected Soviet missiles," he said, adding, "At times there was a lot of fear."

The school system helped feed that fear. Like thousands of other teachers across the country, Mr. Barrow showed his students films about the enemy. He particularly remembers one "called 'Against the Wall.' I think in black and white, about the purges of Stalin, the millions of people executed."

Mr. Driscoll, one of his former students, had no trouble recalling that film.

"They lined up people in front of ditches and shot them," he said. "It was real news-

reel film. I remember the hats flying. And I thought, 'This is the way the Russians act!'"

Mr. Barrow believes the cold war was a boon to education, in some ways, because it made his students "more aware that things that go on way over there are going to affect us here." He and others also noted that it gave an unquestioned boost to certain subject areas, such as science and engineering, particularly after the Soviet Union launched Sputnik in 1957, the first man-made earth satellite.

But other educators point to darker effects as well.

As the rhetoric of the cold war—"good guys and bad guys," filtered into the classroom, said Theodore Sizer, a professor of education at Brown University, "study of Japan or Asia was limited," while academic attention was lavished on the Soviet Union. For that, he said, America is now paying a price.

Marc Tucker, president of the National Center on Education and the Economy, has been studying not just America's schools but those of countries whose students usually score much better by generally accepted international standards of measurement. Among them are schools in Germany and Japan. The difference, he says, goes back to America's view of itself in the cold war's first decade.

The United States ended World War II the globe's unquestioned leader, the only nation to enter the postwar era at full industrial capacity and in possession of nuclear weapons. As a result, from 1945 into the late 1950's "we were enormously confident in our economic institutions, and in our social structure, including the schools," Mr. Tucker observed, while the Germans and the Japanese, and to some extent other Europeans, had to rebuild.

"But what is only now becoming apparent is that World War II led to a fundamental restructuring of the world economy," he added, alluding to the growing global trade of increasingly high-technology products. The Germans, Japanese and others restructured their societies, including their school systems, to suit. But American education stuck to a pattern that was largely set early in this century.

"We drifted," Mr. Sizer said. "We were so damned focused on Russia that we never faced up to the changing economic reality."

"There were important exceptions," he said, "but in general American education underwent a mindless continuation of the existing system."

DIRECTION: FEAR GIVING WAY TO NEW CONCERNS

Dr. Lifton and his staff at the Center on Violence and Human Survival have been monitoring the views of selected clusters of people on broad national issues for many years. But his current study, begun before the cold war ended, came up with a result that surprised him.

About 80 people from different social backgrounds in the New York area were interviewed in depth starting in 1987, and at the beginning "the fear of nuclear war we encountered was fairly widespread," he said, adding, "They spoke of a holocaust, the end of the world."

But Charles B. Strozler, co-director of Dr. Lifton's center, said that by 1990 "we began to note how that imagery was changing: Rather than fear of nuclear war, people began offering environmental images, fear of the greenhouse effect, the ozone layer and Chernobyl as dangers to the future."

Out of that, Dr. Lifton said, Americans appear to be turning their concern away from

mortal enemies toward dangerous social problems instead.

But in the view of John Mack, a psychologist, it may not be so easy for the nation's leaders to follow.

Dr. Mack is founding director of the Center of Psychological Studies in the Nuclear Age at Harvard University. His studies convince him that in America, the cold war greatly exaggerated the human tendency "to judge ourselves by who we are and who we are not—male or female, good guy or bad guy, American or Russian."

That need, Dr. Mack says, is a central feature of the human psyche, and it grew far stronger because the other side was poised to strike with nuclear arms.

For the last 40 years, America's leaders have played on that, he said. But now, with the new era, how will the nation's leaders cope when "they can't find a reliable enemy to mobilize the nation any longer?" he asks.

With the enemy at last removed, Dr. Sizer wonders whether America can "be driven by a sense of our own ideals" without the additional impetus of fear of annihilation.

Or, as Dr. Mack asks, will the nation's leaders create new enemies instead? "Will we fall back," he wonders, "to the old easy way of divide and blame, mobilize the people out of fear?"

That is the looming question of America's new age.

□ 1220

DIRTY LITTLE SECRET ON PAGE 25

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from North Dakota [Mr. DORGAN] is recognized for 60 minutes.

Mr. DORGAN of North Dakota. Mr. Speaker, we have heard a lot of discussion about the President's budget, and this is probably an 8- or 10-pound document with 1,400 pages, full of facts and figures, and uninteresting statistics. But there is a dirty little secret on page 25 that I want to show my colleagues and tell the country about today.

Mr. Speaker, page 25 is the first table that says: "Outlays, Revenues and Deficits." In other words, this is the President's spending plan for this year and the next 5 years.

Here is what President Bush, a conservative, wants next year and in the coming 5 years: "Here's what I want in spending revenue and deficits," and he says, "In this year, this budget year, I propose a deficit of \$399.4 billion."

That is kind of surprising, but it is not nearly as surprising as the fact that, in order to get to that figure, the President ignored the law.

Mr. Speaker, the law requires, and I know because I wrote it and it got passed here in this Congress, requires the President to back out the surplus in Social Security when he computes the deficit. Why? Because, when we collect a Social Security tax, we are collecting a little more than now is necessary this year for Social Security because we know that 20 to 25 years from

now we are going to need some money saved up because that is when we are going to have trouble. We are going to have the smallest number of workers supporting the largest number of retired people. So we decided to save for the future and create a surplus each year in Social Security.

So, Mr. Speaker, we are doing that. The law requires that the President cannot use that surplus to reduce the Federal deficit. That is what the law requires.

The President, in this document, says, "I don't care about the law; doesn't matter to me." He says to us, "The deficit this year is going to be \$399 billion," but this year there will be a \$74 billion surplus in Social Security, and he used that surplus to reduce the real deficit to get \$399 billion. In fact, the real deficit this fiscal year is going to be \$473 billion.

Now what does the President propose from this year on? Well, he proposes the same approach: Use the Social Security surplus—which is grand theft, my colleagues—to reduce the Federal budget deficit.

So, I will correct his numbers, as he should have, as the law required him to do, and read the numbers for my colleagues.

Next year, the Federal budget operating deficit he proposes, this conservative, is \$442 billion out of balance. The next year after, \$318 billion; the year after that, \$315 billion; the year after that, 1996, \$322 billion; and in 1997, \$344 billion. Two point two trillion dollars in added deficits is what this President proposes in this budget; \$2.2 trillion in 6 years. That is \$366 billion a year, \$1 billion a day, 7 days a week, all year long, that we are going to spend that we do not have.

Now that is what this President proposes. This President gives us a document and says, "Here's my document. It's my fiscal plan for the future of the country."

Do my colleagues know what this document says? It says, "I surrender on fiscal policy." This is the most outrageous surrender on fiscal policy in the history of this country. They ought to be ashamed of themselves for sending this kind of blueprint down to Congress. And Congress ought to be ashamed of itself if it decides to follow this nonsense.

Mr. Speaker, if this country does not get its act together and reconcile what it spends with what it raises and starts getting rid of these crippling deficits, we do not have a future.

Why are people losing confidence in this country? Because our economy rides on a cushion of confidence, and, when we spend \$1 billion a day we do not have, people know that we are spending tomorrow's money and mortgaging our country's future. We will restore the confidence that the American people have in this country and in our

Government when we get a President that is honest and a Congress with a little courage to follow good leadership. Until and unless that happens, we are not going to restore confidence in the direction this country is moving.

Now, I have said what I think about this budget. I hope Congress takes this budget and exposes its depressing secret on page 25 for what it is worth, and I hope Congress will move in a different direction, toward lower budget deficits.

One way or another, this country needs leadership, and, if it fails to get leadership, it will be mortgaging its future.

Mr. Speaker, I am happy to yield to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I thank the gentleman from North Dakota [Mr. DORGAN], my friend, for yielding. I share his concerns about the deficit. I think that we absolutely have to do something about it, and we can do something on the floor of this Congress, because the President cannot buy a pencil unless we give him the permission to do so.

But I think I have got the solution. As my colleague knows, for 38 consecutive years the House has been run by the Democrat Party, and the Democrats can say no to anything in that budget.

But the question I have is this: My friend from North Dakota, we talk about leadership. The President the other night from that podium asked the Congress to give him the line-item veto. Are you going to vote to give him the line-item veto?

Mr. DORGAN of North Dakota. Mr. Speaker, I appreciate the comments of the gentleman from Wisconsin [Mr. ROTH].

Mr. Speaker, I am one of those Democrats who believes that we ought to have a line-item veto. I do not think it would make a whit of difference in the deficit, even though I would vote to give the President the line-item veto. What difference would it make to a President that sends this stuff down to Congress that says, "For this year and the next 6, I want to spend a billion dollars a day I do not have, and I want to go to New Hampshire and claim I'm a conservative?"

What a crazy quiltwork of contradictory policy for the future of this country.

Now the gentleman from Wisconsin [Mr. ROTH] says the President cannot buy a pencil without this Congress' permission. There are three steps in the budget process: No. 1, the President by law sends this to Congress, this is his leadership; No. 2, Congress passes the appropriations bills; and No. 3, the President must sign or veto them, and the President's pen, that pencil or pen the President has, is worth two-thirds of all the votes on both sides of the body.

Yes, it is the President's fault, and, yes, it is Congress' fault. But this is not leadership coming from the President, and this country deserves decent leadership on fiscal policy.

One way or another we have got to resolve this deficit problem because this country does not have a future unless we get our spending priorities in order and stop these crippling deficits.

MY ADVICE TO THE PRIVILEGED ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, since my election by the majority of the Democratic Caucus to the chairmanship of the Committee on Banking, Finance and Urban Affairs, before which, for some 10 years, I had been the ranking member of the committee, and over the span of my privileged service in this House, 30 years and some 4 to 5 months, I have belonged to the Banking Committee. So, when I assumed the chairmanship, I promised my colleagues that I would give them timely and consequential reports as to the activities of the committee's set agenda being under my direction. I said at the time though, "I think in a cynical world those words are lost," and I have always felt that the power of a chairman is inherent only really one way, and that is the power to set the agenda, set the course; offer the leadership in other words. After that, the rest under the rules, if faithfully followed, as they are intended to be democratically. When a roll call is ordered, the chairman's vote is just one, and that is it.

Now in the 30 years I have observed several chairmen before me, and I observed very keenly, and I saw the consequences of trying to abort that procedure or divert from the democratic processes, and over those 30 years I look back and see what were the results. Sure, they exercise power.

□ 1230

There are some lobbyists today and newspaper editors and trade press that say, "This chairman is too democratic," astoundingly. This is what was used in a Washington Post story about my activities, and in several of the banking trade publications who have been more prone to say that I am bizarre, or that, they do not use the word "peculiar" or anything, but they use another word, a synonym, to describe behavior of a man that does not cut his hair in accordance with the traditions around this place or in many other legislative centers. That is that I do not have fundraisers in Washington.

I try to refrain from accepting or at least limiting any kind of contribution, even if it is back home, from any particular entity or association or individ-

ual who has any business or is likely to with any type of committee activity which I may have been assigned to. That is about it. It is just something that I resolved as a matter of policy long before I came to the Congress when I served in the State senate of Texas, and believe it or not, where it started, 3 years on the city council.

If anybody thinks, any of my colleagues think, because I have been privileged to serve on all three levels, that virtue is in close proximity to the locality, let me disabuse their minds. If the spotlight has been or has been or would be on those local doings and their intricate relationships with the power structure in those cities and other elements, why, you would have more scandalous reporting than anything you read about on the national level. That is the way it is.

Cynics thought that when I said the only real power that I think I have a right to exercise is the power to set the course and set the agenda, that of course has not pleased some. Some were dissatisfied last year because they felt I had been too active, and others because I had called the shots as I saw them, and it happened to be those shots I called were based on testimony that was freely given before the committee and it reflected in other sectors. So there was no way that I could avoid that and give the accounting that I have promised my colleagues.

Today I rise in order to continue. In fact, the last time, which was several months ago, it was in connection with this subject matter.

Mr. ROTH. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. Yes; I will yield to the gentleman.

Mr. ROTH. I thank the gentleman for yielding. Allow me to tell him that while I belong to this side of the aisle, to the other party, and am of a different political persuasion, I would compliment the chairman of the Banking Committee, because of all of the Members he is probably the most fair chairman we have in the House. I serve on the Banking Committee with him.

What I like more than his conscientious job that he is doing, I wish the House had listened to the gentleman over the years and we would not have the S&L mess. The American taxpayer would have been saved billions, and I appreciate that.

I think the gentleman would agree with me that he does come under the heading of that time-honored term, that honored term of Texas, as a maverick. I would say the gentleman from Texas probably is a maverick.

We do have a lot of work on the Banking Committee. The question that I would have of the chairman is, of all of the issues, and there is no committee more important than the Banking Committee to this House, of all of the issues before the Banking Committee,

what is the key issue we have to address? We have so many of them.

Mr. GONZALEZ. Let me thank my colleague, the gentleman from Wisconsin [Mr. ROTH] for his very kind and generous remarks, which he has always expressed, in all truthfulness, and for which I am very grateful.

We may belong to different sections of the political spectrum, and we may also have perhaps different views on some of the issues, but to answer that question at this point would give rise to a little difficulty inasmuch as we have what I would say are more immediate issues that are not even being discussed. There seems to be no perception as to the gravity, the extent, the depth, the spread of the complicated problem that faces us just in the financial world.

The very much unique American deposit insurance system, nobody even mentions it, but the need for reform there has been long overdue because it has been distorted. Certainly the congressional intent has long ago been corrupted. You cannot have \$3 plus trillion of insured funds in the commercial banking system alone and have an insolvent insurance fund without saying that it would be quite difficult to tell the people the truth, and that is that the Government could keep its pledge as far as insuring at a given moment. To me that would be No. 1.

We tried, in all fairness, and I was able to work with the ranking minority member, the gentleman from Ohio [Mr. WYLIE], in the three or four attempts we made during the markup on last year's banking bill to have a reform. It was a start. At least it would reduce the exposure of that fund as it has been allowed to improperly.

On top of that, we have reached a point of conjunction in our Nation's history where things have built up over 30 years that are not going to be resolved overnight. There is no quick push-button answer that I can find. It is complicated, just like the problem that built up over these three decades has been complicated.

Against that backdrop we have the economic situation of the country. The banking system cannot thrive if the economy is not, and vice versa, so that our challenge is great.

I want to thank the gentleman from Wisconsin [Mr. ROTH] for his willingness to serve on the committee in these difficult times. I do not know how much political mileage there is in being constantly recorded as having to do what seems to be absolutely necessary, and that is to provide the necessary funds to ensure the at least temporary actuarial soundness of the banking and insurance fund.

Now, I do not follow Member's individual records, so I am not prepared to say how the gentleman voted, but I do know that he has been one of the better attending members of the committee, and that I appreciate.

If the gentleman will forgive me, I am going to divert to stick to the issue on hand, because it is a rather lengthy presentation.

In 1975 I was not anywhere near the top of the structure of the Committee on Banking, Finance and Urban Affairs, but back home I soon discovered a very disturbing and troubling pattern involving international flow of money that was not accounted for by anybody. That was beginning to filter into the safety and soundness of some of the financial institutions, such as a couple of S&L's and one or two banks.

I persuaded, with a lot of effort, to finally get the chairman of the subcommittee that had jurisdiction to come to San Antonio, my hometown, and hold 2 days of hearings. As a result of those hearings we did uncover some very disturbing facts. I got the compliments of the stable and long-time members of the financial community, because they also had been apprehensive.

It was not until 3 years later that we got, in 1978, the first international banking law enacted. It took 3 years. Then it was inadequate from the beginning. It was difficult. If it is difficult today, you can imagine how much more difficult it was in 1978. Anyway, it was a beginning.

With great distress I noticed through the years that some of the individuals that we had brought out in the course of those hearings, for instance, one from the State of Louisiana, were later involved in what we call now the S&L scandals, so that there is always cause and effect in these areas.

□ 1240

What I wanted to say though is that the gentleman is quite correct. At the bottom of almost every event in human history and modern history, not only in our country but throughout the world, is finances.

It is interesting to note, my colleagues, that the day the hostages held in Iran so atrociously, an event that had not happened since before the Middle Ages, where you had that kind of hostage of diplomatic emissaries, when they were released on January 20, 1981, they were released after a Federal Reserve official in New York, in New York, in the New York bank, pressed a button and released several billion dollars in London to the folks in Iran.

It is interesting to note that this last release happened after a payment was made, which had been for some time disputed. We were supposed to have had an international commission adjudicating or presiding over these claims, but I think the cause and effect there is very obvious.

What I do not think our folks in the United States have ever gotten is a full and complete report of all of those financial dilemmas that led to the taking of the hostages. It involved about

10 billion dollars' worth of banking investments from the United States.

In any event, it is sad to think that at this moment that I speak we have somewhere around \$800 billion in this country in foreign money, international money, and nobody really knows how to keep track of it right now, even after the amendments that we passed this last year out of the House on November 27, and then the conference report, and finally signed by the President sometime after that.

We are the only country of any size or industrial worth that does not have anything like a screening board. Even Canada has one. We do not have any monitoring or regulatory power to oversee this, or even a little chunk of it, and \$800 billion is a lot of money. Not all of it is legitimate, but just a chunk of it is highly leverageable. It can be leveraged in a matter of minutes electronically to such things as drug money laundering.

I can assure you what I have been saying for over 20 years that the kind of crime, particularly drugs and all that goes with it, would not be possible in our country unless there was a tie-in between that particular criminal element, the otherwise political or officialdom, and the financial or business sector.

So today we have over 25 percent of our total financial or banking assets that are owned by foreign entities.

The difficulty here is to try to convey even to our regulators how different it is when any of these banks that are called international banks are headquartered in the United States, and then charter agencies in several of the other States, which agencies are chartered by State banking commissions.

What is not realized is that every one of those banks are State-owned. The one I am going to speak of, which I want to give this background for understanding on, is one that is owned by the Italian Government.

For a year and a half, in fact, it has been a year and a half that we first had hearings by the Committee on Banking, Finance and Urban Affairs, on the activities of the Banca Nazionale del Lavoro, or the BNL, in the United States.

In the course of that investigation we have learned that BNL provided over \$4 billion in what appears to be illicit loans to the Government of Iraq. While about half of these loans went to purchase food commodities, it is less well-known that about half was used to finance Iraq's efforts to build a self-sufficient military industry, an industry that could build missiles, one that came close to developing nuclear arms, one that did produce chemical weapons, one that could build a super gun capable of unprecedented range, as well as produce conventional weapons.

I have taken this time to report, as I have promised and repeat that I prom-

ised, on these activities of the committee and its findings.

Last fall in a report to Congress the President reported that no United States company contributed directly to Iraq's conventional or nonconventional weapons capability. In fact, however, Iraq operated an extensive clandestine procurement network that obtained critical financing through the BNL and that operated in this country to procure United States technology and know-how for Iraqi weapons programs.

I have written the President to advise him of this finding and to ask that he cooperate fully in our efforts to develop all of the facts. Unfortunately, the committee has met with many obstacles in its efforts to determine how Iraq used BNL and other sources in this country to develop important military technology.

Despite the unfortunate obstacles, we have learned a great deal. I hope that President Bush will now order complete cooperation as we seek to determine the full facts. I hope also that the President will issue a report of his own correcting the report sent to the Congress last year.

We know and have documentation and have had it since last year showing quite a number of American firms and corporations that did do business and did afford this kind of help.

Pending further study, I do want to describe what the committee knows about the Iraqi procurement network, how it operated, and how United States firms directly participated, wittingly or unwittingly, in the Iraqi effort to develop weapons of mass destruction.

But before this, let me say that it was not until 1983 when President Reagan removed Iraq from the list of terrorist nations that the green signal went out from the State Department, from the Commerce Department, and almost on every level, to have substantial commercial intercourse with Iraq. This was in 1983, and that started when Iraq was removed by President Reagan from the terrorist nation list.

I intend to produce a report on all of the committee's findings. But in the meanwhile, I will provide through this forum further information as warranted, beginning today.

Already the committee's work on BNL has resulted in major legislation to require more effective regulation and oversight of foreign banks operating here. That was because of last year's amendments to the Banking Act.

However, it is likely that more needs to be done. In fact, I will say categorically it needs to be done. I am in fact developing a new bill that would encourage multilateral lending institutions, the World Bank and others, to pay close attention to the need to prevent the further proliferation of sophisticated weaponry in countries like Iraq that depend on those institutions for basic economic health.

Therefore, this investigative effort has important legislative goals. The Government of Iraq, operating with BNL financing and using a secret procurement network, was able to obtain assistance through the Export-Import Bank.

This network obtained \$2,155 million in loans from BNL alone for militarily useful products, specialized machinery, various kinds of steel, industrial equipment, chemicals, computers, and other items.

In addition, BNL financed \$2 billion worth of agricultural goods through the Commodity Credit Corporation Program. Taxpayers are going to have to pick up that tab, and it amounts to somewhere around \$2 billion, and that does not include over \$200 million from the Export-Import Bank guarantees.

It was an early objective of Saddam Hussein to become an independent producer of arms, including nuclear weapons and the missiles necessary to deliver them.

□ 1250

The world already knows that he used chemical weapons freely against his own people. It is likely that he would have used them in the gulf war had he not feared retaliation. In any case, he came close to many of his objectives—close to producing nuclear bombs, close to building a supergun, and close to producing sophisticated missiles. Indeed, he did build chemical weapons, he did build enhanced Scud missiles, and he did use them.

The war against Iran interrupted the indigenous Iraqi weapons program, since the money was needed to buy finished military goods to fight in that long and extremely bloody war. But once the war was over, Saddam immediately started his full-scale weapons development and production program.

The major United States source of credit for food and weaponry was BNL—a bank owned by the Italian Government, which had offices in this country, most notably in Atlanta, GA, but not exclusively there. A number of persons who operated that office, and others who dealt with it, have been indicted for their crimes. Some have been convicted. But to date, the American people know little about how Iraq operated in this country to attain its illicit goals.

Iraq could not achieve its aims without Western help. Saddam needed more than U.S. food. He needed technology, equipment, and supplies that were available only in the West. Despite the official obstacles, he found little difficulty in getting what he wanted.

The military procurement system of Iraq, like the rest of the Government, was tightly controlled. At the top was the Council of Revolutionary Leadership, headed by Saddam Hussein and close family members. This was the center of power.

Below the council, in what we might think of as a cabinet department, was the Military Industrialization Board [MIB], which planned and oversaw the effort. This board was in all likelihood headed by Hussain Kamil, who is Saddam's son-in-law.

Day-by-day operations of the Ministry of Industry and Military Industrialization, which I will refer to as MIMI.

MIMI in turn used a series of state-owned organizations to buy and build the military power Saddam desired for Iraq. There were at least a dozen organizations operated by MIMI that bought Western technology and goods for the weapons program. It was MIMI and its affiliates that used the \$2.1 billion of credit supplied by Banca Lavoro. As a matter of fact, employees of the bank met with Hussain Kamil on several occasions during visits to Iraq. Clearly, this is the man who called the shots on how BNL funds were used.

Hussain Kamil, let it be understood, had other functions. Besides heading the MIB and MIMI he was also head of the Secret Service Organization [SSO]. Through this organization, he set up the clandestine technology procurement network that was essential to Iraq's success. A key member of the Secret Service Organization was Safa Al-Habobi, who had direct responsibility for making the procurement scheme work. Safa Al-Habobi was the mastermind behind MIMI's procurement efforts.

Once a year, the MIB would set goals. The MIMI would ascertain what was needed to meet the targets, and then set out to obtain the necessary goods.

Here is an example of how the system operated:

A military plant in Iraq known as the Martyr's Factory needed a computer numerically controlled lathe to meet its production goal, which required production of complex machined metal parts. The MIB got the order from the factor and forwarded it to the Iraqi Embassy in Germany. The Iraqi Embassy in turn forwarded the order to front companies controlled by the SSO in the United States, United Kingdom, Germany, and Italy. The front companies obtained bids, which were communicated back to the arms plant. The plant in turn decided which, if any, bid to accept, went back up the ladder for approval and got the goods, the delivery of which often depended on BNL financing.

There are thousands of examples of this type of transaction.

UNITED STATES ASSISTANCE TO IRAQ'S MISSILE PROGRAM

The MIMI used an organization known as the Technical Corps for Special Projects, or TECO, for its sophisticated missile and nuclear development efforts. Through TECO, Iraq was able to obtain important United States help in these programs, including the Con-

dor II, which in Iraq code was referred to as project 395.

The Condor II apparently started in 1984 as part of an effort by Iraq, Egypt, and Argentina to jointly develop a missile that had a range of between 500 and 1,000 kilometers.

Argentina was to provide the development of the production site, Iraq was to put up the financing, and Egypt was to procure the technology. A consortium of mostly European firms handled various portions of the project. However, by 1987 or early 1988, Iraq became unhappy with the slow pace of the project and suspicious that its partners might be siphoning off some of the billions invested. In addition, in summer 1988, Abdel Kader Helmy was arrested in California for illegally transferring technology for the Condor II to Egypt. His role is more fully described in excerpts from trial-related documents that I will include in the record.

By 1988, Iraq was taking a much greater role in the Condor II project. Through TECO, which remember was a MIMI affiliate, agreements were signed with many of the original contractors who had worked in the consortium. At that time, TECO assigned the designation project 395 to the Condor II Program.

Project 395 had at least three sites in Iraq, each of which has a different function and its own project number. In addition, a missile R&D site was erected in northern Iraq. Despite all efforts, though, the Condor apparently was not mass produced in time for the invasion of Kuwait in August 1990. However, it is clear that much was done, and that BNL loans were vital to the program, and that numerous Western sources, including companies from Europe and the United States took part.

As many Members know, a Cleveland company known as Matrix-Churchill was an Iraqi front company. TECO was the controller of that company.

To illustrate the role played by Matrix-Churchill, I offer for the record a telex from TECO to Matrix-Churchill detailing a visit from a Baghdad delegation. The purpose of the visit was to have TECO employees meet with over a dozen U.S. companies that were expected to supply goods to the Condor II Program, known also as project 395, but referred to for purposes of obtaining the goods as the Badush Dam or Badush project. The date of this telex is August 6, 1988.

There was in fact a dam being constructed in the general area, but there was also one or more missile-related facilities in the area of the dam. It is certain that goods supposedly bought for the dam were actually used in the missile program. The committee has many shipping documents that clearly show the buyer was TECO and project 395 was the destination.

Among other companies that shipped to the project were these:

Mack Truck, Pennsylvania, tractors, trucks and trailers;
 Lincoln Electric, Ohio, welding machines and supplies;
 Rotec Industries, Illinois, cement handling equipment;
 Hewlett Packard, California, computer systems;
 EMCO Engineering, Massachusetts, water treatment facility
 IONICS, Massachusetts, water demineralization plants and water pumping systems;
 Dresser Construction, Illinois, construction equipment;
 Mundratech, Ltd., Illinois, dump trucks;
 Caterpillar Tractor Co., Illinois, tractors/earth movers;
 Grove Manufacturing, Pennsylvania, truck mounted cranes;
 Ingersoll Rand Co., New Jersey, cement compacting machines;
 Liebherr-America, Virginia, Liebherr cement mixers on Mack truck chassis; and
 Mannesmann Demag, Illinois, heavy construction equipment.

□ 1300

The foregoing is not a complete compilation, just a sample, since there are numerous documents yet that we have to finally review and precisely fix. However, it is an indication of how a foreign government can use secret methods to obtain important help for the development of military projects taking advantage of our open market.

Project 395 is not the only one involved. There are two other Iraqi missile programs known as Project 144 and Project 1728 that also obtained United States help. These were Scud related programs. It was a Scud that was launched against U.S. troops and numerous other targets during the gulf war. As Members will recall, some of our American servicemen and women died during that attack.

The Iraqi network was also responsible for obtaining technology related to more conventional weapons such as artillery shells and artillery pieces as well as nuclear weapons related procurement. The Government has in its hands thousands of Matrix Churchill documents, but it has not yet reviewed them. The hard fact is there are not enough personnel assigned to do the job. But these are the documents that show clearly what the Iraqi network was and how it operated as well as the importance of the BNL financial support. Today there is no higher priority than to prevent the spread of sophisticated weapons to countries like Iraq, and yet there is not an adequate effort even to determine what went wrong in the case of Iraq so that the lessons can be learned. There are hundreds of cases in which the exports of Iraq required United States export licenses. The export licenses and documents show that the end user was often times an estab-

lishment engaged in military activity. Nevertheless, it is clear that Iraq had little trouble in getting the license from the Department of Commerce.

Moreover, in the case of TECO this occurred despite the fact that the Department of Commerce and the Department of State had clear knowledge of what CECO was and what its purposes were.

Why do I say this? You might ask, my colleagues, what about the CIA? We thought this was our vaunted intelligence gathering agency for which we appropriate untold and still publicly undetermined billions of dollars. They knew. And here is the pathetic thing. The intelligence agency served its purpose. It knew all about this. But whatever it brought forth was either ignored or canceled by the State Department level or the Department of Commerce level and by other individuals who had been involved in some of the commercial and financial backgrounds, including highly placed individuals in the administration today, very high, specifically the National Security Adviser and the present Deputy Secretary of State. He was even on a Yugoslavian bank board.

Why should our committee have been refused so much of the documentation we have requested all up and down the line? First, we had the Justice Department under Attorney General Thornburgh not only stonewall us, and I put the letter in the RECORD some time ago in which he defied the committee to continue any kind of hearings and said, "You should not have any hearings, and we are shocked and disappointed that you insisted on having hearings." It is all a matter of record.

All I have asked is here is the Congress and the Congress has abdicated enough in almost every other level, and this is a direct consequence of what we are now facing, a conjunction of vast, huge dimensions of deeply rooted problems that have to do with the continuing solvency of our country, our system of Government, our economic and financial independence. It is under great threat, and it pains me to see a person who has raised his voice every one of these 30 years, everyone here, to a silent Chamber, but it is on the record. It is not what I am saying now. That is why I came to the floor, so it would be on the record.

Today we are on the edge of a precipice. I would go into what trouble my mind and my soul more than anything else since 1979, and that is the fact that the United States, facing an almost debauched currency, the value of our dollar has declined 60 percent in 6 years. How can we continue that?

When my Members ask me what is the single thing that I feel if I could use one word that is the most direly needed thing for this country, I would answer with one word, "solvency,"

"solvency." We are bankrupt. We became a debtor nation for the first time since 1914 and 1985.

And what did we hear from these halls? Nothing. My voice, and I am not bragging about it. In fact, I reluctantly say this. It causes no end of frustration that I feel that it was the only voice since August 1979 that was discussing such things as the European currency unit, the ECU, and the European monetary system, the EMS.

Today when I say that the dollar, and maybe it is one man's opinion, but I have not heard anybody of serious consequence dispute me, that we are in imminent danger of the dollar being replaced as the international reserve currency. That sounds like a lot of words, but what it means is that for the first time in our history, and we are not the only nation that has had the great privilege to be able to pay its debts in its own currency, and we are faced with the loss of that. It means that this huge, monstrous debt we have piled up on the governmental level, on the corporate level which is as great as the governmental level, and private, you and I, will have to be paid back in somebody else's currency. Forget about economic freedom, forget about our vaunted standard of living. Yes, we are beginning to worry now. We are beginning to see the intractability of the so-called recession which we said over a year ago would be intractable.

The whole course since World War II could have been charted on a graph. But to what avail was it to raise a voice over those lonely years? It was like a coyote out in the brush world in the Southwest howling to the Moon at midnight, and that is what I have often pictured myself as doing. But by golly, no matter what criticism, then or now, I am a profoundly grateful man. We live in a cynical world and so many people want to know what is his angle, and that is the trouble today on almost every level. The so-called leaders or those who want to be leaders want to figure out the angle, not the problem. And we have to start getting to digging out the problems. We should have been doing that 30 ago years and anticipating. It was obvious from the statistics that show that as late as 1956 or 1955, but certainly since the early 1950's our country was producing over 80 percent of the world's goods. Today it is not even 16 percent. That was foreseeable. Certainly we would know that the day would come when there would be a recuperation and a resurgence of Europe and Japan. But we, willy-nilly, in our smugness and complacency, and as Shakespeare so aptly said, when a nation becomes arrogant in its folly it becomes a laughing stock. What do you think for so many years folks outside the United States called us, do you think they called us Uncle Sam? They did the same thing they did after World War I. We are Uncle Sap, we are patsy.

□ 1310

So there is no higher priority I know of even in this fragmentary fashion than to prevent the spread of sophisticated weapons to countries like Iraq and others, but we have already gone out and embarked, and we have sold more weaponry in the Middle East since March 1991 than ever before, we ourselves.

But it is clear that Iraq had little trouble in getting those licenses. But if you have powerful voices, either industry voices enmeshed with the political or the governmental, who is going to resist that?

It is painfully clear that the export licensing system did little or nothing to prevent Iraq from getting the goods it needed for its weapons program even though the State and Commerce Departments were adequately informed of the real nature of the buyer.

The Iraq Sanctions Act required the President to submit a report to the Congress on the sale, export and third party transfer of nuclear, biological, chemical and ballistic missile technology to or with Iraq. The report submitted to the Congress is classed as secret. However, there is little information in the report that is not already published and in the public realm as always.

The American people, with all the secrecy, are the only ones that do not know. Everybody outside of the United States long ago has known.

But the significant fact is that the report was at the very least misleading in its conclusion that United States companies were not directly involved supplying Iraqi conventional and nonconventional weapons capability.

That is the question I always asked: If something is so good, why do you keep it secret? If the report has nothing there but shows a diligent job by those in power, why, you want to publicize it; you do not want to hold it a secret.

As in the case of every other occurrence I have ever witnessed as a public elected official since serving on the city council, and that is 38 years and 8 months ago, 9 months ago, I have never seen any reason for anything, anything not being shouted from the rooftops.

Now, I have not been a member of intelligence committees. I have not been a member of a military. Maybe there are some areas there. I do not know. But I doubt it.

I read the foreign press, and I have read articles about things that were in great detail outlined that we were told were sensitive, secret here.

Pursuant to Resolution 687, the United Nations mandates the "destruction, removal or rendering harmless" Iraqi weapons of mass destruction. This would include any missiles with a range of more than 150 kilometers, missile components and support facilities—for example the enhanced Scud and the Condor II.

Incidentally, some 6-7 months ago, maybe a little bit longer, Syria obtained 300 of the improved Scuds. Guess from whom and through whom. They were funneled through North Korea, right now, advanced, much improved so-called Scuds.

Resolution 687 of the United Nations, as I just said, and the task assigned to it is in charge of a United Nations special commission, and the International Atomic Energy Agency, or IAEA, which, as the world knows, has encountered harassment and obstruction from Iraq. Despite this, the United Nations has obtained information that confirms the committee's own findings about the procurement system and how U.S. firms were used.

The committee has asked for the relevant U.N. documents, but these are available only through the request of the State Department, and the State Department has already stonewalled us enough.

Strangely enough, the administration has been slow to ask for the information. Last November 13th, I asked Secretary Baker to obtain the documents and provide them to the committee. Thus far the Secretary has not responded—has not made the request and has not explained why there has been no action on the part of the administration. I include the November 13 letter in the RECORD at this point:

COMMITTEE ON BANKING, FINANCE
AND URBAN AFFAIRS,

Washington, DC, November 13, 1991.

Hon. JAMES A. BAKER III,
Secretary of State, Washington, DC.

DEAR SECRETARY BAKER: The Committee on Banking, Finance and Urban Affairs is conducting an investigation of Banca Nazionale del Lavoro (BNL) which provided Iraq with over \$4 billion in loans during the latter half of the nineteen eighties. The Committee respectfully asks for your cooperation with this investigation.

Specifically, the Committee is investigating how BNL loans were used to provide Iraq with the technology and know-how necessary to produce weapons of mass destruction. To date, the Committee has identified over 200 beneficiaries of BNL loans to Iraq. Many of those companies have been identified as providing Iraq with technology or know-how to produce conventional or nonconventional weapons.

As you are aware, United Nations Security Council Resolution 687 mandates the "destruction, removal or rendering harmless" of Iraq's weapons of mass destruction. The Committee has been in contact with the organizations responsible for achieving that mandate, the International Atomic Energy Agency (IAEA) and the United Nations Special Commission (U.N. Special Commission).

The IAEA and the U.N. Special Commission have both informed the Committee that they have compiled a list of companies, including numerous U.S. firms, that may have supplied Iraq with the technology and know-how necessary to develop conventional and nonconventional weapons. Both have stated that they are not authorized to provide the Committee with the names of these companies.

While the IAEA and the U.N. Commission did state that the "lists" are available to

U.N. member countries, they informed the Committee that the United States Mission to the U.N. has not formally requested copies of the lists.

Why has the State Department failed to formally request a copy of the IAEA and U.N. Special Commission lists of U.S. companies that may have provided Iraq with the technology and know-how to develop weapons of mass destruction? The Committee understands that the IAEA and the U.S. Special Commission have not completed their work, but both the IAEA and the U.N. Special Commission have lists available at this time.

So that the Committee may learn more about the implications of BNL loans to Iraq, especially those used to enhance Iraq's weapons capability, please request the IAEA and the U.N. Special Commission lists and forwards a copy of them to the Banking Committee by the close of business, November 22, 1991.

Questions regarding this request should be directed to Mr. Dennis Kane. Mr. Kane has a "Top Secret" security clearance from the Department of Defense and the Committee has a CIA-approved secured safe to protect the confidentiality of this information.

Thank you for your consideration of this request. The Committee looks forward to your timely reply.

Sincerely,

HENRY B. GONZALEZ,
Chairman.

It is unacceptable that the administration will not obtain information that it needs to support its own policy. Neither has it assigned the personnel required to thoroughly evaluate its own documents concerning Iraq's weapons program and how it worked.

We know that Saddam Hussein came close to meeting his goals. We know that other nations are no doubt engaged in the same kind of activity, and that they must utilize sources of technology that are available only in this country. And yet there is no apparent aggressive effort underway to learn the lessons that the Iraq episode offers, and to take the steps necessary to see that it does not happen again.

The documents I am submitting are a fair start toward necessary understanding. There is far more to be told.

But today I simply want my colleagues to know how Iraq worked, and I support this with the evidentiary documentation we have obtained which I have asked permission to enclose, and I enclose, at the end of the RECORD.

In later reports, I will discuss other aspects of the Iraqi program, what our Government knew, and how it responded. But for today, these are the essential facts:

First, Iraq determined early in Saddam Hussein's rule to become independent of Russian and Western sources for sophisticated weapons;

Second, Iraq developed a carefully controlled system to develop and build chemical and nuclear weapons, and to build missiles capable of delivering those weapons;

Third, Iraq used a clandestine procurement network in its efforts;

Fourth, Iraq controlled companies in this country that supplied important support to the weapons program;

Fifth, Iraq used United States companies in that effort;

Sixth, the Commerce Department, with the acquiescence of other agencies, readily licensed the export of militarily useful goods to Iraq, even though it clearly knew or should have known what the real purpose was, and they did know, because not only the CIA but the military intelligence and the Defense Department advised them that these had potential military use;

Seventh, the President submitted an inaccurate report to the Congress concerning these matters; and that is why I rise here today, my colleagues; and

Eighth, the State Department has thus far refused to obtain relevant information from the United Nations on the Iraqi weapons program, and moreover, like other agencies, seems to put a low priority on learning from this episode.

Information referred to follows:

COMMITTEE ON BANKING, FINANCE
AND URBAN AFFAIRS,

Washington, DC, January 31, 1992.

Hon. GEORGE BUSH,
The President of the United States, Washington,
DC.

DEAR MR. PRESIDENT: On November 5, 1990, you signed into law the "Iraq Sanctions Act of 1990" as part of Public Law 101-513. The Iraq Sanctions Act contained a provision requiring you to conduct a study and report on the sale, export, and third party transfer or development of nuclear, biological, chemical and ballistic missile technology to or with Iraq. Pursuant to that Act, you issued a report to Congress in the Fall of 1991 concluding that U.S. firms did not contribute directly to Iraq's conventional and nonconventional weapons capabilities. The report to Congress is clearly inaccurate. In fact, numerous U.S. companies provided critical support to Iraqi weapons programs, including missiles.

Over the past year, the Committee on Banking, Finance and Urban Affairs has been conducting an extensive investigation of the activities of the Atlanta branch of the Italian government-owned Banca Nazionale del Lavoro (BNL). The Atlanta branch of BNL loaned over \$2 billion to an Iraqi military technology procurement network that was operating in the U.S. and Europe. The Committee has clear evidence showing that dozens of U.S. firms played a critical role in Iraqi weapons programs. The Committee has learned that responsible agencies have not thoroughly reviewed thousands of relevant documents because of inadequate resources.

For example, documents I am transmitting with this letter indicate that numerous BNL-financed U.S. firms were directly involved in the development of a ballistic missile known as the Condor II. The code name that the Iraqi government assigned to the Condor II missile program was "Project 395." The Committee has evidence revealing that over a dozen U.S. firms were directly involved in Project 395. The equipment and technology supplied by U.S. firms involved in Project 395 were used to construct part of the infrastructure (e.g. buildings, utilities, fortification, etc.) necessary for Iraq to mass produce the Condor II missiles.

The Committee also has evidence indicating that U.S. firms were involved in several other Iraqi missile programs code named Project 144 and Project 1728. These programs

both involved the production of a modified Scud missile. Several U.S. companies supplied materials for these projects. These are the same Scud missiles used during the Gulf War to attack both American troops stationed in Saudi Arabia and civilians living in Israel.

The Iraqi organization responsible for Project 395 and the Scud modification projects is called the Technical Corps for Special Projects (TECO). The Commerce Department approved numerous export licenses for U.S. and foreign firms even though TECO was listed as the end-user. Moreover, these licenses were issued despite the fact that the Commerce and State Departments had ample knowledge of TECO and its activities at the time these licenses were approved. The Committee has grave concerns about the export licensing process and is investigating how the Commerce Department could have approved such licenses to Iraq.

Various agencies within the Administration unfortunately have hampered the Committee's investigation of BNL and its role in funding Iraqi weapons of mass destruction. On November 13, 1991, I wrote to the Secretary of State, the Honorable James Baker, asking him to provide the Committee with information on American companies involved in Iraqi weapons programs which was compiled by the United Nations (U.N.) and the International Atomic Energy Agency (IAEA) after the cease fire with Iraq. To date, the Secretary of State has refused to supply the Committee with this data. In fact, Secretary Baker has refused to ask these organizations for this information.

In addition, the Iraqi technology procurement network in the United States has not been fully identified by the Treasury Department. At least one U.S. company, Tigris Trading, Inc., located in Pittsburgh, Pennsylvania, is owned by an Iraqi national, Safa Al-Habobi, who has been indicted for his role in financing the Iraqi war machine with the use of BNL loans. It is common knowledge that Al-Habobi was a major figure in the Iraqi military technology procurement network.

The Committee also has evidence indicating that there may be at least a half dozen additional Iraqi-controlled companies that have not been properly identified. These companies may still be operating as part of the secret Iraqi procurement network. At a minimum, these companies either wittingly, or unwittingly, offered the Iraqi government an ownership interest in their business.

Mr. President, in light of the findings of the Banking Committee, and the ever growing threat of countries like Iraq who are seeking to covertly develop weapons of mass destruction, I trust that you will do everything within your power to learn the full truth about the U.S. role in helping Iraq develop conventional and nonconventional weapons capability. The American people have a right to know the truth.

I also respectfully request that you instruct the appropriate agencies to be forthcoming in assisting the Committee with its investigation.

I feel certain that you will want to submit a new report to Congress that reflects the true role played by U.S. companies and Federal agencies in permitting the transfer of technology and know-how to Saddam Hussein's war machine.

Thank you for your time and consideration. I look forward to working with you to curb the international proliferation of technology and know-how necessary to build weapons of mass destruction.

With best wishes.

Sincerely,

HENRY B. GONZALES,
Chairman.

Attached is a document from the Helmy trial giving a brief overview of the Condor missile. By 1989, Iraq had begun development of its own version of the missile referred to as Project 395.

DEFENSE INTELLIGENCE AGENCY,

Washington, DC, September 19, 1989.

Subject: Assessment on the Activities of Abdel Kader Helmy, et al. and the Egyptian/Iraqi Condor Missile Program.

U.S. ATTORNEY, EASTERN DISTRICT OF CALIFORNIA,

U.S. Courthouse, Sacramento, CA.

1. This office became aware of the activities of Dr. Abdel Kader Helmy and his associates in June 1988. Acting at the request of the U.S. Customs Service, DIA assisted U.S. investigators with technical and intelligence expertise in the area of missile technology and proliferation to the Middle East. As a result of the review of the documents provided to this office, DIA offers the following pertaining to the activities of Dr. Helmy's group.

2. The list of items/materials being sought by Dr. Helmy is entirely consistent with items necessary to support the manufacture of a ballistic missile. Specifically the chemicals, when combined into one list, are most likely to be found in a facility which manufactures composite solid propellant motors. The carbon based blocks and cones were most probably for use on the nose of the missile warhead. The carbon phenolic tape has numerous uses including the thermal wrap of rocket motor casings or nozzles, while the maraging steel is of the particular grade commonly used in rocket motor casings production. A review of the materials and the technical manuals which Dr. Helmy was obtaining can result in only one opinion, that Dr. Helmy was procuring materials to support the production of a ballistic missile.

3. The Egyptian Ministry of Defense, working with financiers from Iraq, have contracted with the Argentines to produce a ballistic missile capable of carrying a warhead of 500 kilograms up to 1,000 kilometers in range. This missile is most commonly referred to as the "Condor" missile. The Condor missile meets the minimum criteria set forth in the Category I of the Missile Technology Control Regime (MTCR). The Condor program has been closely monitored by the seven member nations of the MTCR (United States, Federal Republic of Germany, France, Canada, Great Britain, Italy and Japan) who are responsible for monitoring world wide missile proliferation activities. This specific missile would represent a significant improvement over currently assessed missile capabilities of Egypt. DIA believes Dr. Helmy was procuring these materials for the Condor missile.

4. The Condor missile program has been ongoing since at least 1984. The progress has been slow due in part to the lack of indigenous technology and the need to covertly acquire the technology/materials used in production of ballistic missiles abroad. The activities of Dr. Helmy are consistent with observed activities, sponsored by Egypt and Iraq, to facilitate the production of the Condor missile. Without the activities of Dr. Helmy, and his co-conspirators, in procuring restricted technology, completion of the Condor missile program is doubtful. Dr. Helmy's apparent willingness to provide critical materials necessary for the production

of the Condor missile was important to the long term goals of establishing an indigenous ballistic missile production capability in Argentina, Egypt, and Iraq.

5. DIA believes that the introduction of a ballistic missile, capable of carrying conventional, chemical, or nuclear warheads, into either Egypt or Iraq would increase regional tensions and add further fuel to the regional arms race. Israel and Iran, the perceived adversaries of Egypt and Iraq, would most surely respond to these acquisitions in an escalating posture, by considering preemptive strikes, starting or accelerating anti-ballistic missile programs or acquiring an equal or greater number of ballistic missiles. The potential regional destabilization which might have been caused by Dr. Helmy's activities would be damaging to U.S. interests and peace efforts in the region.

MICHAEL R. HIGGINS,

Technology Security Intelligence Analyst.

In the attached telex, the Technical Corps for Special Projects [TECO] informs the Iraqi front company in Cleveland, OH, called Matrix-Churchill Corp., that a TECO delegation from Baghdad will arrive in the United States on August 6, 1988.

The reason for the TECO visit that August was to meet with over a dozen U.S. companies to discuss their involvement in a phase of Project 395 referred to as the Badush project or the Badush Dam.

Project 395 is the Iraqi designation for the Condor II ballistic missile program.

AUGUST 6, 1988.

From: Technical Corps for Special Projects—Project 395.

To: Matrix-Churchill Corp.—5903 Harper Rd., Cleveland, Ohio.

Subject: Badush Project.

Ref: Our Tlx No. 3889 on 20.7.88.

Our delegation is arriving Washington on Aug. 6, 1988 by (PA) flight (107) from London. Commercial office of the Iraqi Embassy is arranging accommodation.

Pls contact all manufacturers mentioned in our A/M tlx. and inform them of the arrival of the delegation ask them pls to contact the delegation through the commercial office of the Iraqi Embassy. The following additional manufacturers are also to be contacted by you.

1. Manradtech Ltd, USA, 7147 Pebble Park Drive, West Bloomfield, MI 48033. Phone: (313) 851-2226. Time and date of discussion 9th-Aug. 1988 (4 pm).

2. Dresser Hallpak Division. P.O. Box 240, Peoria, Illinois, 61650-0240, 2300 N.E. Adams Street, Peoria, Illinois 61639. Phone: (309) 672-7000. Time and date of discussion 9th-Aug. 1988 (9 am).

3. Dresser Construction Egypt. Divs., 755 S Milwaukee Avenue, Libertyville, Illinois 60048. Phone: (312) 367-2000. Time and date of discussion 9th-Aug. 1988 (10 am).

4. Dresser Lerol Divs., North Main Avenue and Russel Road, P.O. Box. 90, Sidney, Ohio 45365. Phone: (513) 492-1171. Time and date of discussion 9th-Aug. 1988 (9 am).

5. Lincoln Electric Company, 22801 St. Clair Avenue, Cleveland, Ohio 44117-1199. Phone: (216) 481-8100. Time and date of discussion 9th-Aug. 1988 (4 pm).

6. Mayfair Atrium Bldg. Suite 400, 10400 West North Avenue, Wau-Watosa, Wisconsin 53226. Phone: 414-256-7932. Time and date of discussion 9th-8-88 (3 PM).

7. Mannesmann Demag Corp., Construction Machinery Division, 476 Country Club Drive,

Bensenville, Ill. 60106. Tel.: 312-7664-431, 312-7664-906. Tlx. 270452. Fax. 7667-549. Mr. R. Hammer. Time and date of discussion 12th-Aug. 1988 (4 pm).

8. Sumitomo Corporation of America, Head Office, 345 Park Ave., New York, N.Y. 10134, U.S.A. Tel. 212-207-0700. Tlx 12311 (12311 Sumitomo NYKA) (WUD), 420516 (Sumisho A 420516) (ITT). Fax 212-688-1579, 212-207-0456. Time and date of discussion 11th-Aug. 88 (4 pm).

9. Sumitomo Corporation of America, Washington Office, Suite 703, 1747 Pennsylvania Ave. NW., Washington DC, 20006 U.S.A. Tel.: 202-785-9210-3. Tlx 89587 (Sumitomo WSH) (WUD). Fax 202-861-0690. Time and date of discussion 11th Aug. 88 (4 pm).

10. Liebherr-Aemical, Newport News, Virginia. Tel. 804 245-5251. Mr. Starmans, Mr. Jacobsen. Tlx 6711744. Fax 804-245-5263. Time and date of discussion 10th-Aug. 88 (9 am).

11. Equiparts International Inc., P.O. Box 2, Elizaville, NY 12523. Tel. 914-756-2891. Fax 914-756-2979. Mr. J.P. Singh. Time and date of discussion 12th-Aug. 88 (4 pm).

12. Mack Trucks, Inc., 2100 Mack Blvd., P.O. Box M, Allentown, PA. 18105. Tel. 215-439-3411. Cable: World Side ATW. Time and date of discussion 12th-Aug. 88 (9 am).

13. Raccar International (Kenworth Division), P.O. Box 1518, Bellvue, Washington 98009, USA. Tel. 206-828-8872. Tlx 683-8005. Time and date of discussion 9th-Aug. 88 (3 pm).

14. Grove Manufacturing Co., 1000 Main St., P.O. Box 21, Shady Grove, PA 17556. Tel.: 717-597-8121. Telex 842308. Twx. 510-650-3580. Fax. 717-597-9082. Time and date of discussion 8th-Aug. 88 (3 pm).

15. Caterpillar Tractor Co., 100 N.E. Adams, Peoria, IL 61629. Tel.: 309-675-1000. Time and date of discussion 8th-Aug. 88 (9 am).

16. Ingersoll Rand Co. Tool Group, International, 200 Chestnut Ridge Rd., Wood Cliff Lake, NJ 07675. Tel.: 201-573-0123. Tlx. 134357. Time and date of discussion 11th-Aug. 88 (3pm).

17. Dynapac Manufacturing, Inc., P.O. Box 368E, Stanhope, NJ 07874. Tel.: 201-347-0700. Tlx 136481 DYNSTPE. Fax 201-347-7410. Time and date of discussion 12th-Aug. 88 (3 pm).

18. General Motors Co. Canada, Tlx 021-698-1424 GMMMD OSH. Mr. La Sande, Director Marketing and Sales, Canadian Export Operation G.M. Canada. Tel.: 416-644-6158. Mr. G.D. Tornout, General Director (President). Tel. 416-644-3350. Time and date of discussion 10th-Aug. 88 (3 pm).

19. Terex Div., 5400 3 Darrow Rd., Hudson, OH 44236 USA. Tel.: 216-650-5000. Twx. 810-437-2353. Mr. Peter Basar, Director, Sales, 216-562-7542 home phone, 216-650-5903 office (direct line). Mr. Mike Hinshaw, Export Sales Mgr., 216-864-0939 home phone, 216-650-5918 office (direct line). Mr. Bob Armstrong, Exec. V.P., 216-650-6555 home phone, 216-650-5212 office (direct line). Time and date of discussion 11th-Aug. 88 (9 am).

Many Thanks. YR Cooperation.

Best Regards.

COMM. MANAGER.

Attached are Customs Service memos indicating BNL is suspected of having supplied financing for the Condor II ballistic missile:

U.S. CUSTOMS SERVICE,

Atlanta, GA, September 21, 1989.

HON. ROBERT L. BARR, JR.,

U.S. Attorney, Northern District of Georgia, Atlanta, GA.

DEAR MR. BARR: As you are aware, the U.S. Customs Service, Office of the Resident Agent in Charge, Atlanta, Georgia is in-

involved in a joint investigation with the Federal Bureau of Investigation, Internal Revenue Service, Department of Agriculture, Defense Criminal Investigative Service and Examiners of the Federal Reserve Bank of Atlanta relative to the financial/banking and exporting activities of Banca Nazionale del Lavoro (BNL-Atlanta), 235 Peachtree Street, N.E., Atlanta, Georgia. The crux of this investigation involves BNL-Atlanta's extension of unauthorized credit in excess of 2.6 billion dollars to American, British and German companies involved in trade with Iraq. The commodities involved are suspected to include shipments of agricultural products, industrial machinery, military-type technology and various controlled chemicals. In addition, BNL-Atlanta is suspected to have provided loans to various U.S. firms for the illegal export to Iraq of missile related technology to be used in the Condor II Project.

U.S. CUSTOMS SERVICE,

October 20, 1989.

To: Assistant Commissioner Office of Enforcement.

From: Director, Strategic Investigations Division.

Subject: Banca Nazionale del Lavoro.

The above cited case, currently under investigation by the Office of the RAC/Atlanta, is a multi-agency task force operation involving several jurisdictions. The BANCA NAZIONALE del LAVORO (BNL) is an Italian international banking firm with branch offices in numerous countries and cities to include Atlanta. BNL Atlanta's primary business, is the funding of export goods and commodity transactions. The case was opened as the result of allegations that two Atlanta based executives of the firm had provided 2.6 billion dollars in unauthorized and uncollateralized loans to American, British, and Italian firms involved in trade with Iraq and other countries. In addition, BNL is suspected to have provided loans to various firms for export to Iraq of missile related technology for use in the Condor II project.

At present, the agencies involved, in addition to Office of Enforcement, U.S. Customs Service, include Office of Foreign Assets Control, U.S. Treasury, The Federal Bureau of Investigation, The Internal Revenue Service, U.S. Department of Agriculture, Defense Criminal Investigative Service, and Examiners of the Federal Reserve Bank.

Coordination and control of the Task Force emanates from the Office of the U.S. Attorney, Atlanta. Present indications are that in addition to violations of laws within the jurisdictions of the agencies cited above, violations of The Export Administration Act, The Arms Export Control Act and Foreign Asset Control Regulations have taken place.

Attached are samples of documents showing U.S. firms involved in Project 395.

The first page is a BNL letter of Credit listing the Project 395 and the Technical Corps for Special Projects [TECO] as the beneficiary of the letter of credit.

The second page is a sample of a shipping document listing TECO—Project 395 as the purchaser of the water treatment equipment from the U.S. firm.

The third is a telex from a U.S. truck manufacturer in communication with TECO—Project 395/Badoosh Dam.

BANCA NAZIONALE DEL LAVORO,

Atlanta, GA, December 23, 1988.

Beneficiary: Rotec Industries Inc., 333 Westlake Street, Elmhurst, IL.
 Instructions Received From: Central Bank of Iraq, New Bank Street, Baghdad, Iraq.
 For Account of: Technical Corps for Special Projects, Project No. 395.

GENTLEMEN: We are pleased to advise you that the above mentioned correspondent has issued their Irrevocable Letter of Credit in your favor for account as shown above for a sum not exceeding Eighteen Million Seven Hundred Eight Thousand Three Hundred Sixtyfive Dollars United States Currency (\$18,708,365.00 USC) available by your draft(s) drawn at sight on The Central Bank of Iraq. The amount of this letter of credit covers 100 percent of the invoice value of:

Rotec tower beltsystems, Rotec certer cranes, Rotec hi-dumpers complete with ierex dumptruck chassis, Rotec conveyor system for egragates and vibration pack-ages. C&F Moussel.

A. 10 percent of the credit value is payable as advanced payment. However, payment will only be made upon our receipt of tested telex from The Central Bank of Iraq stating that bank guarantee issued by Rafidain Bank has been issued and approved by the buyers.

B. Up to 80 percent of the credit value is payable as against your draft(s) as described above accompanied by:

1. Your signed commercial invoice in original and 7 copies in the name of the above mentioned accountee stating the merchandise description, quantity, price value, gross and net weight, freight charges, shipping marks, country of origin, country of manufacturer, trade discount (if any) and certifying its correctness and that the goods are of U.S.A. origin. Original must be attested by Iraqi Consulate.

EMCO ENGINEERING INC.,

Canton, MA, June 14, 1989.

Invoice No. 00560.

Ship to: Technical Corps. for Special Project—Project 395. P.O. Box 810 Baghdad, Iraq. P/Order No. Dam/82/88. Tel. 7720400-7720290.

Sold to: Technical Corps. for Special Project—Project 395. P.O. Box 810 Baghdad, Iraq. P/Order No. Dam 82/88. Tel. 7720400-7720290.

Customer's order No. DAM/82/88.

Terms: Central Bank of Iraq, Baghdad L/C 89/3/16. Shipped in 1x40+ container from U.S.A. port to Turkish port, Mersin, by Sea Intransit to Mousl Iraq.

Item 1. Partial shipment of: Washe and water treatment equipment C&F Mousl. Amount: \$588,718.70 C&F Mousl.

Shipped in accordance with Central Bank of Iraq; irrevocable letter of credit No: 89/3/16 & Banca Nazionale del Lavoro, Atlanta GA Advice No: 11862.

Shipped as follows: 1x40+ container containing 172 pcs, pkgs bdls, skids water treatment equipment (complete breakdown & itemization on attached packing list).

Container No: OCLU 109150-2, Seal No: 5173, Bill of Lading No: TFEI INT017 034582, shipped via SL Integrity V 17E from Boston, Mass. to Mousl via Mersin. Transshipment via United Kingdom. Gross weight: 11,500 lbs (5216 Kgs). Net weight: 10,695 lbs (4851 Kgs).

Ocean freight charges included in above C&F value \$4160.00.

Country of origin of merchandise: United States of America.

Country of manufacturer: United States of America (U.S.A.)

AUGUST 3, 1989.

Att: Abdul Raheem—Commercial Mgr., State Machinery Trading Co., TECO Project 395—Badoosh Dam, Baghdad, Iraq.

We are ready and prepared to ship the spare parts, spare tires and spare rims for the Badoosh Dam project in Mousl. We would like to ship them to you (C&F Mersin) as soon as possible.

In order for us to ship these spare parts to you, we need two things from you:

1. An extension of letter of credit No. 88-3-3201.

2. Your authorization for Mack trucks to ship the parts as quoted to you by Mike Feeney, C&F Mersin.

3. Your authorization for Mack trucks to ship the spare tires and spare rims with the spare parts.

Since there remains USD 384,477 in the letter of credit, there is more than enough money for these spare parts, rims, and tires.

We should be able to ship approximately 30 percent of the spare parts, tires, and rims within thirty days of your authorization to ship. Some parts, however, will require more time to obtain and ship for this reason. We kindly request you extend the letter of credit until 31 December 1989.

We recognize the importance of these parts to the success of the Badoosh Dam project. We will do all in our power to get them to you as soon as we can.

D. BOSCH,

Stridt Supervisor—Middle East,
 OK Trucks, Inc.

Attached is a telex from Hussain Kamil, son-in-law of Saddam Hussein, wishing to the employees of BNL-Atlanta a happy Easter holiday.

MARCH 26, 1989.

For the attention of Mr. C. Drougol. I would like to express my greetings and personal good wishes for you and your family and all your staff at Del Lavoro Bank-Atlanta on the occasion of the Easter festivities. Wishing you all happiness, good health and prosperity.

HUSSAIN KAMIL HASAN,
 The Ministry of Industry
 and Military Production.

Attached are some German press accounts of the Iraqi missile program including Project 395 and other programs:

NDR-ZEITGESCHICHTLICHES

PANORAMA,

ROSMARIN PROD.,

Bonn, January 4, 1990.

MEMORANDUM

The following items can be retained from the December 22, 1989 internal discussion at the Foreign Office, occasioned by the December 5, 1989 launching of the Iraqi space flight vehicle and concerning the Iraqi strategic arms program and involving Departments 311, 424, 425, and 431, as well as a representative of German Intelligence

I. Rockets:

The BND /i.e., German Intelligence Service/ had the following information about the space flight vehicle launched on December 5, 1989; The vehicle had a SCUD-based fluid drive. The initial stage consisted of four or five bundled, modified SCUD missiles. The second stage consisted also of a SCUD missile, while the third stage had an SA-2 drive. Only the first stage was able to function. Although the third stage got into orbit, it could not manage to stay there because of its insufficient thrust. The launching pad, located 230 km southwest of Bagh-

dad, was discovered by the U.S. on December 6, 1989.

The BND reported further Iraq was working on a total of five rocket projects. One-by-one these are:

(a) Missile Project 395, corresponding to Project Condor II (Argentina) and BADR 2000 (Egypt). This missile was to be built first as a two-stage rocket (solid fuel technology). A three-stage version was being discussed as a variation on this, where the first and second stages were to be equipped with solid fuel engines and the third stage with a fluid drive.

The infrastructure for building these rockets was available, but production had not yet begun. Obviously, further technical support from the Consen Group was. . . /remainder of text missing/

(b) Al-Hussein, range 650 km, maximum load 350 kg, drive life: 80-90 seconds, base: SCUD

(c) Al-Abbas, range 900 km, drive life: 150 seconds, base: SCUD

(d) and (e) Project 144 with Supplementary Project 1728: Iraq was planning additional ground-to-ground missiles which would have a range of 1200 to 2000 km, be based on SCUD technology, and run on liquid fuel propellant as they had not yet had much experience with solid fuel propellants. The BND believes that, on the whole, because of their inadequate maximum loads, these missiles were probably incapable of carrying nuclear warheads.

The BND estimates that the Al-Abass missile, currently in development, poses the greatest threat. It could theoretically be provided with a nuclear warhead and has a target precision of 1.5 km (on Iraq's nuclear capability cf. below III).

II. Involvement of German companies:

The BND reported that it had been informed by the Israeli secret service about possible participation by German companies in Projects 144 and 1728. Both projects aimed at modifying SCUD technology. According to existing information the Havert Industrie Handelsgesellschaft GmbH (Neu-Isenburg) and the Heinrich-Müller GmbH (Wendelstein) companies were participants in Projects 144 and 1728. In Iraq, both projects were assigned to the following companies:

Nassr State Enterprise, Research and Development Center, Project 1729, Taji-Baghdad/Iraq.

Al Qaya State Establishment Project 144 Baghdad/Iraq.

According to a report made by the Regional Office in Frankfurt am Main, these German companies has signed contracts valued at 2,607,500.00 DM for delivering 35 "High/Low Pressure Units" to Project 144. According to a BND statement on December 12, 1989, the federal government assumed a manufacturing risk guarantee for Project 144 amounting to 1,543,500.000 DM. The assumption of surety was done with the agreement of the Minister of Finance and with the understanding of the Minister for Economic Co-operation. No guarantees were assumed for Project 1728.

The BND further reported on the Consen Group's participation in Project 395. The contracts were negotiated through Taurus, an affiliate in Salzburg. The contract, no. 11-01, (documentation for the initial stage, value: 18 million DM), was fulfilled. Contract 11-10, worth 20 million DM referred to production of stage one. In addition, technical support amounting to 19 million DM during operations was planned.

(For information concerning the participation of the H+H Metallform GmbH company in Drensteinfurt, see enclosure #3).

III. Iraq's Nuclear Capability:

RL 431 gave an overview of the extent of Iraq's commitment in the nuclear sector. Iraq signed the Non-Proliferation Treaty and was subject to the IAEA's full-scope safeguards. As the Baghdad Embassy has expressed its suspicions that Iraq is not meeting its obligations, it must be stated that these suspicions do not suffice to prove an Iraqi violation of its international obligations. Caution should be exercised before accusing Iraq for failing in its commitment under the NPT because this could affect the administration of the treaty. A closed fuel cycle is quite beyond Iraq's present capabilities.

IV. Iraq's Chemical and Biological Weapons Capabilities:

Department 424 stated that the "Australian Group" had information Iraq was intent on producing biological weapons. No one could be certain as to the extent to which the Iraqis had succeeded, if at all. Production plants for the manufacture of biological weapons had been put on the German Export List, Section E No. 3001.

Department 424 also stated that it must be assumed that Iraq was capable of producing chemical weapons without foreign assistance. Precursor products not manufactured in the country.

Panorama No. 466, January 29, 1991.

SCUD MISSILES AGAINST ISRAEL

Commentary: Tel Aviv after a missile attack. Bloodhounds are searching for those who have been buried alive. There is a missile alert nearly every night. As of yesterday evening Iraqi troops had fired off 25 SCUD missiles at Israel; a total of four dead, 190 injured. Just as many missiles were fired on Riad and Dharhan. There, at present, one dead and 35 injured.

Even the American Patriot missiles—this is a deployment over Riad—can't offer complete protection in spite of their great precision.

Militarily, the SCUD attacks are worthless. The missiles carry no more than 350 kg of explosive—much too small to destroy any military target, such as an air base. Even its precision, with a scatter radius of one and a half kilometers is militarily useless. The missile attacks are aimed at only the civilian population.

A Soviet SCUD missile on maneuvers, actually a military fossil, medieval and complicated. It is not the Soviet SCUD which is being used to menace Israel, its 300 km range is much too limited. Israel is being menaced by a later model, the El Hussein.

Here are some pictures of the SCUD successor-missile taken secretly by refugees. Iraq is proudly showing the El Hussein, range 650 km, far enough to reach Israel, and another, the El Abbas, with an even greater range of 900 km, at an armaments exhibition. But the Iraqi arms industry would never have been able, on its own, to increase its range.

Saddam's generals needed some partners. They found them in Germany. The Inwaco company, headquartered in Bonn, is currently under investigation. The company director is keeping quiet, not a word about any missile deals. The Harvert company in Neuenburg near Frankfurt is also under investigation, but even this company is denying any connection with the missile deal. They claim that a freelance employee of theirs had acted without the company's knowledge. According to intelligence services, Harvert and Inwaco are supposed to have been two of Iraq's general contractors. As such they are said to have procured mis-

sile components from some 20 other companies, such as the Firma ABA in Stutensee bei Karlsruhe, H&H-Metallform, Leifeldt & Co., Heinrich-Müller GmbH, and Graser GmbH. The items in question were valves, injectors, and bottling tanks.

Darmstadt Attorney General, Georg Nauth: "The accused are suspected of having supplied Iraq from 1987 until 1989 with bomb hangers—*Bombenhanger* word not found elsewhere—there are components with which bombs can be stored under the wings—special components for fuel regulation, and guidance parts for missiles."

Commentary: Large numbers of files were confiscated last week from the Harvert company. The Bureau of Customs Crime Investigation/reports on the first results from the investigations concerning missile export:

Cologne Bureau of Customs Crime Investigation, Karl-Heinz Matthias: The documents that were confiscated are currently being studied. They are very comprehensive, filing more than 250 binders. At present it looks as if the suspicion is being confirmed that the suspected companies bought up components for missile drives here and then exported them without a license, although these things require a license."

Commentary: The shipments were apparently made via the Frankfurt Airport—directly with Iraqi Airways. The companies are disclaiming that they shipped any missile components, only machine parts, they say, that is, for civilian, not military purposes. No complicity with Iraq's missile program?

This is the original plan from an Iraqi—remainder of sentence missing. But when you compare the Iraqi original with these maintenance manuals for the El Hussein precursor SCUD, which were found last year with the NVA (Nationale Volkarmee, i.e., the army in East Germany, the similarities are more than apparent. This is a reduction valve for the rocket engine.

Even superimposing the images gives the same impression. The red is the industrial blueprint, the black is the NVA's blueprint. A preliminary view of the confiscated files would seem unequivocal: German companies not only supplied replacement parts for the SCUD, but played a decisive role in increasing its range.

Karl-Heinz Matthias: "Well, at the moment, I can't tell you just how much its range could be increased, but there is some indication that the missile drive system was modified according to Iraqi designs."

Commentary: And here are the consequences—increasing the range of the Iraqi El Hussein to 650 kilometers and the El Abbas to 900 kilometers—the precondition for Saddam's missile attack on Israel.

And these are not just the effects of an Iraqi terrorist attack, but the direct consequences of German entrepreneurial activity, and the Israelis are very much aware of this.

Prof. Daniel Leschem, Dayan Institute, University of Tel Aviv is a military expert who believes that it was several German companies who put Iraq in a position to hit Israel, i.e., Israel's inhabited regions, with his missiles.

Prof. Leschem does not believe that it was only a few white collar criminals who knew about this. The German Government itself should have long since been aware of these transactions, he notes bitterly.

The German Government has known about missile technology exports since mid-1989 at the latest.

In a confidential report to the German Government last August concerning the par-

ticipation of German companies in delivering arms to Iraq, this is called clearly by name. Participation by these companies was well-known as much as a year before the outbreak of the Gulf War. And even then, the same company names were cited in connection with the modernization of Russian SCUD missiles—quote: "These are mid-level German businesses, such as the Harvert Handelsgesellschaft, Inwaco, Müller, Graser GmbH, or Hartel."

The Iraqi code names for this missile modernization were also well-known: Project 144 and Project 1728.

The Federal Bureau of Economics in Eschborn was informed of these code names, but, nonetheless, the companies involved continued to be issued so-called "negative certificates"—i.e. certificates of non-objection for exporting missile components. The examiners thought the components were just normal pumps. A bureaucratic mistake.

Arms companies like MBB are frequently reproached with making illegal exports, but sometimes they are really legal. In a paper written by the Ministry of Economics on the SAD 16 missile test project it says concerning MBB's participation: "The biggest German subcontractor was MBB, which had obtained electronic equipment from Hewlett Packard and electronic test instrumentation from Viltron, both U.S. companies. Even the U.S. had expressly approved shipments for this missile project."

The paper continues laconically: The Federal Bureau of Economy granted export licenses for the SAD 16 from 1985 to 1987, because it was assumed at the time that it was a research project at the University of Mossul. . . .

Last page is a fragment. The stamp on the left, mostly illegible, is a copyright warning. The first part of the accompanying text on right is missing . . . would not have been able to reach Israel without the help of German companies . . . why, will be explained to you by Andreas Orth.

In the attached telex, Mannesmann Demag in Düsseldorf, Germany is informing Mannesmann, United States, in Illinois, that TECO is responsible for the Badush Dam Portion of Project 395. The telex identifies TECO as being in charge of the Iraqi Army working on the project. It also refers to Matrix-Churchill as the Cleveland, Ohio office of TECO and indicates that BNL is providing \$100 million for the Badush project:

JULY 28, 1988.

Re Project in Iraq "Badush Dam."
From: Mannesmann Demag Baumaschinen, Düsseldorf.

To: NDC Bensenville, U.S.A.
Attn. Mr. Soren Jensen.

Since appr. 1, 5 years, we are following up the A.M. project, the customer, in charge of the Iraqi army, is: Technical Corps for Special Projects, Project 395, P.O. Box A10, Baghdad/Iraq.

Our Mr. Nolle is still in Baghdad to discuss this project with TECO and he gave us today the following info about the latest development:

(1) There is a financing facility ex USA available ("Banco di Lavoro" or "Banco di Laroro" in Baltimore/USA) granting US-dollar 100 MIO especially for Badush project. Badush management gives preference to this facility.

(2) Upon directive of the "higher authorities" in Irak A Radosh delegation will travel

to USA, Cleveland/Ohio and other cities on 01.08.88 and will discuss supplies with manufacturers. An office of TECO has been established these, TLX No. 980.471, Attn: Mr. Abulrahim/Commercial Manager). They are authorized to sign contract for excavators, cranes, compressors, drilling equipment, and low bed trailer.

(3) Liebherr offered TECO R 934 and R 942, manufactured in U.S.A.

(4) Our part for this project is: 3 X H 40 G, 6 X H 40 Backhoe, 5-8 X H 85 Bullclan, 9 X AC 125, 30 X AC 105, 2 X AC 265, S, 2 X AC 335, 2 X HC 190-4, 2 X HC 340.

We would appreciate it if you could let us know the following:

Is the credit only determined for purchase of U.S. origin equipment or is it possible that our portion or part of portion could be included in the credit.

Please send us the information if possible until tomorrow.

Thanks and kind regards.

D. MAJER,
Export Department.

Attached is an excerpt from an April 5, 1990 West German Government intelligence agency [BND] report on Iraq. Note that Project No. 395 is called Condor II or Bader 2000:

2.2 SOLID-FUEL TECHNOLOGY (PROJECT 395)

Project 395 has been conducted under the general management of the Technical Corps for Special Projects (TCSP). This project involves an ambitious projectile development program based on the Argentinean CONDOR-II technology. The program is supposed to be realized in close cooperation with the special organization, the Arab League Industrial Development Organisation (ALIDO), with its headquarters in Baghdad.

2.2.1. PROJECTILES

The two-stage projectile is 10.30 meters in length and 0.80 meters in diameter; it weighs approximately 4,800 kilograms. Unlike the Argentinean Condor-II, which has a solid-fuel engine in the first stage and a liquid-fuel engine in the second stage, Iraq favors solid-fuel engines in both stages. With this configuration, the payload is supposedly 350 kilograms, and the range approximately 1,000 kilometers.

The further development and future production of the liquid-fuel engine of the second stage is being pursued in tandem with this, however. There is evidence that the two-stage projectile could be equipped with this engine as a third stage. Such a rocket would then be intended as a space delivery vehicle for limited payloads.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. ALEXANDER, for 5 minutes, today.
Mr. DORGAN of North Dakota, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.
Mr. ALEXANDER, for 5 minutes each day, on February 4, 5, and 6.

Ms. PELOSI, for 5 minutes each day, on February 4, 5, and 6.

Mr. DORGAN of North Dakota, for 60 minutes on February 6.

Mr. STOKES, for 60 minutes, on February 27.

Mr. BONIOR, for 60 minutes each day, on March 3, 4, 10, 11, 17, 18, 24, 25, and 31.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. ROTH) and to include extraneous matter:)

Mr. CLINGER.

Mrs. MORELLA.

Mr. VANDER JAGT.

Mr. COMBEST.

Ms. ROS-LEHTINEN in six instances.

Mr. EMERSON.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. PEASE.

Mr. HUBBARD.

Mr. FALEOMAVAEGA.

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mrs. LLOYD in five instances.

Mr. HAMILTON in 10 instances.

Mr. BROWN in six instances.

Mr. DE LA GARZA in 10 instances.

Mr. ANNUNZIO in six instances.

ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1989. An act to authorize appropriations for the National Institute of Standards and Technology and the Technology Administration of the Department of Commerce, and for other purposes.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Tuesday, February 4, 1992, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the speaker's table and referred as follows:

2747. A letter from the Secretary of Housing and Urban Development, transmitting the Department's seventh annual interim report on the Neighborhood Development Demonstration Program, pursuant to 43 U.S.C. 5318 note; to the Committee on Banking, Finance and Urban Affairs.

2748. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-134, "Health Occupations

Revision Act of 1985 Acupuncture Practice Amendment Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2749. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-135, "Juanita E. Thornton-Shepherd Park Branch of the District of Columbia Public Library Designation Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2750. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-136, "Rent Ceiling Adjustment Notification Amendment Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2751. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-137, "Natural Disaster Consumer Protection Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2752. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-138, "Merchant's Civil Recovery for Criminal Conduct Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2753. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-139, "District of Columbia Government Quick Payment Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2754. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-140, "Condominium Act of 1976 Technical and Clarifying Amendment Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2755. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-141, "General Obligation Bond Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2756. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-142, "Foster Care Goals Act Temporary Amendment Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2757. A letter from the Chairman of the District of Columbia, transmitting a copy of D.C. Act 9-143, "Wage Order for Clerical and Semi-Technical Occupations Rescission Temporary Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2758. A letter from the Chairman of the District of Columbia, transmitting a copy of D.C. Act 9-149, "District of Columbia Income and Franchise Tax Act of 1947 Amendment Act of 1992," and report, pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

2759. A letter from the Director, Defense Security Assistance Agency, transmitting a report of those foreign military sales customers with approved cash flow financing in excess of \$100 million as of October 1, 1991, pursuant to 22 U.S.C. 2765(a); to the Committee on Foreign Affairs.

2760. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on human rights in

countries receiving development assistance, pursuant to 22 U.S.C. 2151n(d); to the Committee on Foreign Affairs.

2761. A letter from the Chairman, Board of Directors of the Panama Canal Commission, transmitting the Commission's report, including unaudited financial statements, covering the operations of the Panama Canal during fiscal year 1991, pursuant to 22 U.S.C. 3722; to the Committee on Merchant Marine and Fisheries.

2762. A letter from the Comptroller of the Department of Defense, transmitting a report on the funding plan and schedule of completion of the phase II V-22 Full Scale Engineering Development Program, pursuant to Public Law 102-172, section 8090(d); jointly, to the Committees on Appropriations and Armed Services.

2763. A letter from the Comptroller General, transmitting the fourth report on the assignment or detail of General Accounting Office employees to congressional committees as of January 10, 1992; jointly, to the Committees on Government Operations and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VANDER JAGT:

H.R. 4147. A bill to amend the Internal Revenue Code of 1986 to provide a mechanism for

taxpayers to designate \$1 of any overpayment of income tax, and to contribute other amounts, for use by the U.S. Olympic Committee; to the Committee on Ways and Means.

By Mr. ROYBAL:

H. Res. 335. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Aging in the second session of the 102d Congress; to the Committee on House Administration.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 261: Mr. REED, Mr. GILCHREST, and Ms. MOLINARI.

H.R. 842: Mr. FASCELL, Mr. MARTINEZ, Mr. KOLTER, Mr. BILBRAY, and Mr. WEISS.

H.R. 1411: Mr. THOMAS of Wyoming, Mr. HOPKINS, Mr. STAGGERS, Mr. SMITH of Texas, Mr. WASHINGTON, Mr. HEFNER, and Mr. JOHNSON of Texas.

H.R. 1790: Mr. CONYERS and Mr. PURSELL.

H.R. 2199: Mr. ENGEL.

H.R. 2200: Mr. DUNCAN.

H.R. 2501: Mr. MRAZEK.

H.R. 3662: Mr. SWETT, Mr. VANDER JAGT, Mr. QUILLEN, Mr. CRANE, and Mr. BARNARD.

H.R. 3690: Mr. REGULA, Mr. RAHALL, Mr. RITTER, Ms. KAPTUR, Mr. MINETA, Mrs. LLOYD, Mr. EVANS, and Mr. BRUCE.

H.R. 3702: Mr. PALLONE.

H.R. 3918: Mr. FORD of Tennessee, Mr. SMITH of New Jersey, Mr. REGULA, Mr. EVANS, and Mrs. KENNELLY.

H.R. 3952: Mr. MCCLOSKEY, Mr. MOLLOHAN, and Mr. FROST.

H.R. 4013: Mr. EVANS, Mr. OWENS of Utah, Mr. ERDREICH, Mr. CLAY, Mr. BROWDER, Mr. KOLTER, Mr. MILLER of Ohio, and Mr. POSHARD.

H.R. 4100: Mr. STARK, Mr. LIPINSKI, Mr. PALLONE, Mr. MOLLOHAN, Mr. KOLTER, Mr. FEIGHAN, and Mr. SHARP.

H.J. Res. 334: Mr. FISH, Mr. GUARINI, Mr. HARRIS, Mr. HORTON, Mr. HASTERT, Mr. RAY, and Mr. TOWNS.

H. Con. Res. 218: Mr. JOHNSON of Texas.

H. Con. Res. 248: Mr. BLAZ.

H. Res. 322: Mr. CARDIN and Mr. TOWNS.

H. Res. 323: Mr. FUSTER, Ms. NORTON, and Mr. MILLER of California.

PETITIONS, ETC.

Under clause 1 of rule XXII,

138. The SPEAKER presented a petition of the Presidency of the Legislative Assembly of the Republic of Costa Rica, relative to the arrest and sentencing of Cuban citizens who have expressed opposition to the present regime; which was referred to the Committee on Foreign Affairs.

SENATE—Monday, February 3, 1992

(Legislative day of Thursday, January 30, 1992)

The Senate met at 2 p.m., on the expiration of the recess, and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

*** For there is no power but of God: the powers that be are ordained of God.—Romans 13:1.

Almighty God, infinite, eternal, omnipotent, perfect in righteousness, justice, peace, and love, we are profoundly grateful for the tradition of religious freedom inherited from our Founding Fathers, grateful for the political system which rejects a state religion and precludes preference of one religious establishment over another.

But, God of truth, help us distinguish between church/state issues which are institutional, and faith in a Creator God who transcends all human systems. Help us to understand that separation of church and state does not mean abandonment of God by government. Our Founding Fathers had experienced the evils of state religions, but they took God seriously—prayed to Him, depended upon Him in critical hours. As our Nation was born out of belief in the "laws of nature and nature's God," guaranteeing human rights and people sovereignty, help us realize that rejection of God forfeits human rights and people sovereignty, opening the door to anarchy and tyranny.

In the name of Jesus, King of kings and Lord of lords. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 3, 1992.

TO THE SENATE: Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Hearing no objection, the leadership time of both the majority and Republican leaders is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 2:15 p.m.

The Senator from Tennessee.

RELEASE OF DATA ON OZONE DEPLETION IN THE ARCTIC AND OVER NORTH AMERICA

Mr. GORE. Mr. President, humankind has entered a new—and disturbing—relationship with planet Earth. Our industrial society—with its excessive consumption and unrelenting pollution of the land and sky—is colliding violently with the planet's delicate life sustaining processes.

Today we will be presented with still further evidence of the grave threat our activities are posing to human life—and indeed all life forms—on the Earth.

Led by Jim Anderson from Harvard University, a team of scientists has been closely monitoring the condition of the atmosphere over the Arctic. Flying in specially equipped aircraft they have grabbed samples of the air and measured its chemical constituents. Today they will report the results of their investigation. Simply stated, what they have found is startling.

The bottom line is that—unless the atmosphere changes quite significantly and quickly—there will for the first time be a hole in the ozone layer over North America. The damage is likely to be most severe over Maine and the northern New England States, but even here—right over our own heads—up to 20 percent of the ozone layer could be gone.

We all know about the ozone hole over Antarctica. And the scientists have warned that a similar situation could develop over the North Pole, too. What we are seeing now, however, is that we have so primed the air with destructive chemicals, that the damage will not confine itself to remote areas of the globe. Rather, it is reaching out to threaten the health and well-being of each and every one of us.

In reality, Mr. President, we should not be shocked by this news. To the

contrary, we have been well warned. In April, an international team of scientists who have been monitoring and studying the ozone layer sounded a loud alarm. They discovered that the depletion is occurring at a rate that is 200 to 300 percent faster than had ever before been detected or predicted and that it is occurring over nearly every part of the globe. And in October they gave us still more bad news: For the first time, they found that the ozone layer is impaired not only in winter, but also in the spring and summer months when we are more likely to be outdoors and when crops are at a crucial point in their growing season.

And they told us that the damage will continue and will intensify. The chlorinated and brominated chemicals that we continue to pump into the atmosphere—even under the limited controls we now have in place—will destroy as much additional ozone as has already been destroyed over the last decade—so, by the turn of the century, we will experience total ozone depletion that is two times as large as that we see today.

No; in reality Mr. President, this news is not startling. Rather, what is truly shocking is our utter failure to act quickly and decisively to stop as much of the damage as we can.

Mr. President, at every turn in this unfolding story, I have urged President Bush and Mr. Reilly to act aggressively to ban the use of ozone destroying chemicals. In fact, Mr. President, what I have done is simply call on the administration to obey the law.

Mr. Bush calls himself the "environmental President" and he is fond of pointing to the Clean Air Act amendments as his great environmental achievement. The truth, however, is that he is flagrantly violating that law.

Under section 606 of the act, Mr. Reilly is required to accelerate the phaseout of ozone destroying chemicals when scientists tell us that the current schedule is not sufficient to protect human health or the environment. The evidence that that is the case could not be more clear. In fact, Mr. Reilly agrees that it is. When the news first broke way back in April, Mr. Reilly said that the results were startling and that the implications for policy were clear. And yet nothing has been done.

In addition to the numerous letters that I and more than 20 of my colleagues have sent to the President on this matter, I introduced a resolution calling on the administration to obey

the law and to take action. That resolution was passed unanimously out of the Foreign Relations Committee. And yet, at the end of the last session when I attempted to bring it to a vote, I was blocked by my colleagues on the other side of the aisle who had been instructed by the White House to kill the measure.

I have tried to cooperate with the White House on this, Mr. President. Indeed, I modified the initial resolution to accommodate some concerns that had been raised. Still the measure was blocked. In good conscience, Mr. President, I cannot allow this matter to go unaddressed any longer. Very shortly, therefore I will call for a rollcall vote on that resolution. I hope my colleagues will join me in sending to Mr. Bush a loud message that we want him to comply with the law now.

The message the resolution sends to Mr. Bush is simple:

Comply with the law.

Take action now.

Stop ignoring the threat that is posed to the health of our children and the vitality of our endangered ecosystems.

Mr. President, within the last hour, there has been announcement by a group of scientists at NASA about the discovery of very high concentrations of chlorine compounds in an area off the Northern Hemisphere over Maine and atmospheric conditions which are described as a vortex, a pattern rather like the way water runs out the drain of a bathtub.

The long and short of this announcement is that if these atmospheric conditions continue for a few weeks, there could be an ozone hole above heavily populated areas of the Northern Hemisphere.

This is a rather startling announcement but one which is not entirely unforeseen. We all hope and pray that the dire consequences now within the realm of possibility do not occur.

But we have been warned, Mr. President, and already as we heard last year the stratospheric ozone layer above the United States of America and most of the heavily populated areas of the world is significantly thinner than it was just a few decades ago.

The world has begun haltingly to eliminate the chemicals that cause this problem but we must move more aggressively; we must move faster. The Clean Air Act legally requires the President to speed up the phaseout of chlorofluorocarbons and similar chemicals when new evidence is presented showing the problem to be worse than it was known to be when the Clean Air Act passed.

Almost a year ago we had announcement of new findings demonstrating that the rate of depletion is 200 percent greater than was known at the time the Clean Air Act passed. There was no reaction from the White House. Then

we had an announcement later last year of serious levels of depletion in the Northern Hemisphere unknown at the time the Clean Air Act was passed and depletion levels in summer when the Sun's rays are much stronger. Still there was no response from the White House. The law is being violated.

Now, Mr. President, we have a finding that there could well be an ozone hole above Kennebunkport. Maybe this will get President Bush's attention. It has certainly commanded the attention of the scientific community throughout this world. It has commanded the attention of our children in elementary schools across this country. Why do so many political leaders put their heads in the sand? This is yet another ecological catastrophe, one of a series. A. Whitney Brown, a comedian on the show "Saturday Night Live," not long ago, said it begins to resemble a nature hike through the Book of Revelations.

Mr. President, an alcoholic who has a dozen drunk driving accidents will often claim that each one of them is an unconnected misfortune, an isolated incident with no relationship to the others when in truth they have a common cause.

Today's announcement of a potential ozone hole centered above the latitude where Maine is located is connected to the findings of extra carbon dioxide in the atmosphere. There are the stories just yesterday of dolphins en masse washing up dead on the beaches of the eastern Mediterranean. There are mountains of garbage we are accumulating. A landfill is now having to apply to the FAA for a permit because it has grown so high it now poses a threat to aircraft.

These ecological catastrophes are connected. They are symptoms of the same underlying cause and we have to change.

No one should be startled by today's findings. The warnings have been clear and loud. The problem is they have always been repeatedly ignored by an administration that refuses to listen. President Bush has kept his hands over his ears and closed his eyes. The problem he wanted to ignore is now banging down the front door. It is high time he began to listen and to respond.

Outrage is the only appropriate response to the administration's total inaction. There is an urgent need not only for leadership but for basic citizenship.

The Bush administration is flagrantly violating existing law, even as it claims bragging rights when it comes to listing this law as an environmental accomplishment. The law requires him to act. It required him to act last year. He has failed to do so.

This is about human health. It is about allowing millions of additional cases of skin cancer to develop, an extra 300,000 deaths in the United States, estimated, over the next few

decades before today's announcement, and they will have to recalculate those figures, tragically. And it is about a dramatic change in our relationship with the environment. If this does not jump start this administration into action, I do not want to think about the kind of devastation it might take to get them moving.

Mr. President, it is an awful prospect to tell our children that they now face a potential future in which they will have to think differently about the sky and hide from the Sun, cover their skin before going outdoors when the Sun is shining. That is not the way God intended this Earth to be, if I may express my own religious conviction. It is something we have done to this Earth, and it is something we must remedy.

So, Mr. President, I would like to serve notice that I will be again seeking to call up or to ask for action on the resolution which came out of the Foreign Affairs Committee unanimously, which I introduced last year, calling for the President to speed up this phaseout process. And I will be introducing it as an amendment or doing whatever necessary to put the Senate on record, to call upon the President to act.

I would like to acknowledge what these scientists have done. They are led by Jim Anderson from Harvard University. They have been flying over the Arctic for quite some time now in specially equipped aircraft, taking samples of the air and measuring its chemical constituents. And again, the bottom line is that unless the atmospheric conditions change significantly and quickly in the next few weeks, the next 3 weeks, there will for the first time be a hole in the ozone layer above North America. It is likely to be most severe over Maine and the northern New England States, but even here over Washington, DC, over this Capitol Building, 20 percent of the ozone layer could be gone if this condition persists.

Mr. President, I will have more to say about it later today. I appreciate the courtesy of my colleagues in allowing me to speak first.

Mr. NICKLES addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is advised that morning business has about 2 or 3 minutes left.

Mr. NICKLES. Mr. President, I ask unanimous consent to proceed as if in morning business for the next 8 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE PRESIDENT'S STATE OF THE UNION ADDRESS

Mr. NICKLES. Mr. President, I rise today to make a couple of comments concerning the State of the Union Address, because I have heard a lot of my

colleagues say, "Well, there was not any substance to it," or "It did not really call for action." I would just beg to differ.

I think people that have made that comment either were not aware of what the President was requesting or talking about, or maybe they did not really pay that much attention, or maybe they had already decided they were going to use that sound bite before they saw the real meat and potatoes that was in the President's speech. He called for action. He called for a lot of action. He told Congress to get to work. He set a deadline. He said:

Congress, enact some legislation that will help this economy move forward; enact it by March 20.

I compliment the President for that challenge to Congress. The President can propose, but Congress has to dispose of that initiative, and a lot of these changes require legislation.

The President mentioned a few things he can do administratively, and I compliment him for those. He talked about a moratorium on new regulations. That is good news from the business person's perspective who is struggling to survive, who is struggling to compete. Regulatory actions can be just as burdensome as new laws, just as burdensome and expensive as other complications in surviving. And so we need that moratoria.

He also said we would review those regulations. That is another thing that is desperately needed, and I compliment the President on it.

He said we would have a freeze on hiring more Federal employees. I compliment him again. And he is calling for the Congress to enact several things that I think need to be done.

He mentioned the line item veto. I see my friend, Senator MACK from Florida, who has worked on that issue, along with myself. We need a line item veto to restore some balance in the budget process.

He talked about enacting welfare reform. Some of that will require, again, congressional action. He mentioned, though, administratively, that he would move the administration to try to approve State requests for waivers so they can enact welfare reform. We debated that last week. I am delighted to hear the President say that. I think that would be very significant in actually helping people get off this cycle or this train of welfare dependency.

Senator MOYNIHAN had a hearing on that today, and I testified, as well as Governor Florio and others, that we would really like to see true welfare reform and we find the bureaucracy in HHS has made it very difficult to do. So I compliment the President there. But I think we probably will have to have legislative action, as well.

The President called for several tax changes that will really make a significant difference on whether or not a

business can compete, whether or not a business can survive. He talked about an investment tax allowance. I grew up in a manufacturing environment. Allowing people to deduct their equipment over a shorter period of time, their expenses, allowing them to recoup their expenses that they write checks for will help business. That will help create jobs. That will make our industries more competitive. So I compliment the President.

I would like to see maybe even more. Maybe Congress can make some improvements. I never said we could not. But I think the President has thrown out an objective plan that will help create jobs. I hope that Congress will move rapidly to enact it, and if we can improve upon it, so be it. The President said, well, we should make some changes in the alternative minimum tax, and frankly we should. The changes that we made in 1986 went too far, and frankly they have hurt a lot of industries. And so we found through experience over the last couple of years we need to undo some of the mistakes that were made either in 1986 or 1990.

One of those deals with alternative minimum tax, I for one think we need to take intangible drilling costs as an accelerated appreciation item on the alternative minimum tax because, again, that is an out-of-pocket business expense. Basically, we had a tax surcharge on nonrecoverable expenses. That does not make business sense. It is not equitable, and frankly it helps strangle a domestic oil and gas industry that is hurting very badly right now.

So the President was right in saying we need to adjust the alternative minimum tax and allow business people to deduct their accelerated appreciation and take that as a deduction, as an expense. Again, it will help create jobs, real jobs. Many of my colleagues want to create Government jobs that we are going to be writing the check for. I think we want to create real private-sector jobs, jobs that are actually paying taxes, creating and expanding the gross national product.

The President called for reform of passive loss rules. I think we could and we should do it. My guess is we have the votes to do it, so I hope we will. Again, Congress went too far in 1986 in restricting the passive loss rules, and we have denied legitimate businesses losses, being able to deduct those against other income.

The President talked about establishing enterprise zones so we can create jobs in urban and rural areas. He talked about a permanent deduction of interest for student loans. I have kids in college; many of my colleagues do. I think that makes good sense, so we can encourage higher education and so we can encourage people to make an investment for themselves for the future.

The President talked about helping first-time homeowners. I talked to a

couple of my staff people today who said: Hey, I think maybe I will try and buy my first home. This will help generate the real estate market, help create jobs, help people get into their first home, which unfortunately many people find is not affordable.

Mr. President, I just touched on a relatively few of the many proposals that the President has proposed for Congress to enact that I think really will create real private-sector jobs. And so I compliment the President for his action. I hope the Congress will move, and move aggressively on it. If Congress wants to change or modify or improve it, let us try to do so.

But I really hope we will act in a bipartisan fashion, trying to help the economy, not trying to help one political party or one political interest over another. Let us work together to see if we cannot stimulate this economy, create real jobs, and get our economy moving forward as well.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. MACK. Mr. President, I ask unanimous consent to address the Senate as in morning business for a period not to exceed 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN WORKERS' PRODUCTIVITY

Mr. MACK. Mr. President, I rise to respond to comments that have been reported in the press during the day. Once again, Japanese leaders are taking shots at American workers. The comments, as I have seen them reported, quote the Japanese Prime Minister as saying: "I have long thought that they"—Americans—"lack a work ethic, to live by the sweat of their brow."

I, for one, frankly, am sick and tired of seeing the blame put on American workers. If there is blame we should be addressing, it should be directed at the American Government. We have put all forms of encumbrances in the way of the American worker. The American worker today is still the most productive worker in the world, including Japan. But if we are going to remain competitive, we must see that the American worker receives assistance. We need to change the laws in America that make it difficult for us to compete. We need to allow for capital formation, so the American worker will have the latest tools and the newest technologies to allow us to compete.

Let me name three things: First, the capital gains tax rate. This gets hung up in the debate about whether it is a benefit for the wealthy. By reducing the capital gains tax rate, we can see an accumulation of capital in this country which will allow for greater in-

vestment, and including new technologies.

The second thing we need to do is something about the double taxation on dividends. Again, this is another debate about the wealthy. The reality is, by taxing dividends twice, you really are encouraging American business to borrow money. This does not entice capital to flow into these particular businesses.

And third, we need to do something about research and development.

If we were to do these three things, I believe we would enable the productivity of the American worker to continue to increase.

My comment here is, again, I am sick and tired of the blame being put on American workers. The blame ought to be on the Government. We need to change policies to enhance capital formation and allow us to be more competitive. If we were to do this, once again there would be a great pride in what America has accomplished and what it can accomplish in the future.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

Mr. DASCHLE. Mr. President, I ask unanimous consent to speak as in morning business for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

"THE BROKEN CORD"

Mr. DASCHLE. Mr. President, I rise today to draw the attention of my colleagues to the opportunity to view television at its finest, the presentation of "the Broken Cord" to be shown tonight at 9 on ABC television. "The Broken Cord" is a movie adapted from a book by the same name by Michael Dorris. It stars Jimmy Smits and is directed by Ken Olin. It tells the story of a single adoptive parent of a child born on a South Dakota Indian reservation suffering from fetal alcohol syndrome and their nearly 20-year struggle with its consequences.

Senator KASSEBAUM and I cohosted a screening last week for Members and staff, which was extremely well attended. Many advocacy groups as well as native Americans were present.

Fetal alcohol syndrome and its less severe form, fetal alcohol effect, afflict thousands of American babies each year. Across the Nation, FAS occurs in 1 in 750 live births. On some Indian reservations, we are told, the frequency may be as many as 1 in 4. More than 40,000 babies were born last year alone with birth defects due to alcohol.

FAS is completely preventable. If a pregnant woman abstains from alcohol during pregnancy, it simply will not occur. There is no known safe amount of alcohol for pregnant women.

FAS is permanent. There is no cure. And the human and financial costs are extreme. That is nearly the extent of

our knowledge today about fetal alcohol syndrome. There is so much we do not know. We need research. We need programs for prevention. We need programs for treatment. But most of all there is a crying need for public education on FAS.

"The Broken Cord" tonight will help us begin that process, and I urge all my colleagues and those who may be watching to see this important film.

I yield the floor.

APPOINTMENT BY THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Republican leader, pursuant to Public Law 102-138, appoints the following individuals as members of the Commission on Broadcasting to the People's Republic of China:

Mr. Michael Cutchall, of Kansas; and
Mr. Joshua Muravchik, of Maryland.

APPOINTMENT BY THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the majority leader, pursuant to Public Law 101-649, appoints the following individuals as members of the Commission on Legal Immigration Reform:

Lawrence Fuchs, of Massachusetts; and
Nelson Merced, of Massachusetts.

KANSAS INTERNATIONAL EXPORTERS

Mr. DOLE. Mr. President, I rise today to commend the many small and medium size companies in Kansas for their innovation and growth in the international marketplace.

In April of last year, I cohosted with the Wichita office of the Small Business Administration a seminar for Kansas companies interested in doing business overseas. The response was overwhelming, and I am pleased to report that recent data released by the Small Business Administration indicated that Kansas companies were ranked fourth in the United States in SBA loans to small company exporters in 1991.

In a time of economic downturn and growing competitiveness in the global marketplace, Kansas businesses are steadily becoming major players in international trade. Although Kansas is world renowned as a breadbasket to the world, these latest figures are an indication of the growing export of manufactured products from Kansas. Kansas companies exported machinery such as grain augers; innovated high tech products such as computer disk cases and fiberglass tanks; and products as varied as bicycle racks and manhole covers. In my view, this growing international trade is an important

reminder that American products are competitive in any market and that Kansas is a dynamic leader in America's ever expanding overseas trade.

I also want to commend the efforts of the Wichita office of the Small Business Administration for their outstanding support of Kansas companies. Their efforts, coupled with the drive and determination of Kansans, are an example of how government can work together with motivated individuals to keep America a leader in international trade and proves again that American products are second to none.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

NATIONAL ENERGY SECURITY ACT

MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. The question is on the motion to proceed to S. 2166. The Senator from Louisiana.

Mr. JOHNSTON. Mr. President, S. 2166 is the successor bill to S. 1220, the comprehensive national energy policy bill. I am pleased to say, Mr. President, at long last it now appears that the Senate is not only on the threshold of taking up this bill, but is on the threshold of approving a comprehensive national energy policy.

Mr. President, S. 2166 is, in all respects, identical to S. 1220, in that we have eliminated completely the Arctic National Wildlife Refuge drilling provisions; we have eliminated completely the CAFE, or corporate average fuel economy provisions; we have eliminated the waste oil provisions; and we have eliminated the so-called WEPCO fix, dealing with the Clean Air Act.

There were initially 16 titles in this bill. We have eliminated 2 and parts of 2 others, so that, in effect, we still have a 14-title bill, which is comprehensive, which is balanced, which will be effective.

I strongly continue to agree that Alaska drilling ought to be part of a comprehensive national energy policy. I strongly believe that there is an excellent chance of there being a huge supply of oil in the Arctic. Some estimates would put that supply as high—I have seen some even higher than Prudhoe Bay.

While I continue to believe that, we have essentially had that debate here on the floor of the U.S. Senate. And those of us who believe that have lost. Because on the question of invoking cloture on the issue of Arctic National Wildlife Refuge drilling we were unsuccessful, having mustered only 50 votes in the affirmative, with there being 44 votes in the negative. We have gone back to the drawing boards and looked at where the votes might come from to

successfully pass that part of this legislation. I can tell my colleagues that no one has done more work on that than I. I have talked to virtually every prospect in the Senate personally, most at their own offices, and talked in great detail. I can tell all Senators that Arctic National Wildlife Refuge drilling, as desirable as I think it is, cannot and will not pass this Senate.

It may be we will have a test vote later, and I have told my distinguished friends from Alaska that I think it would be possible to bring up such a vote later in this debate. And if that issue is brought up, I will help state the arguments for it, but, again, recognize that at this time, on this bill, it cannot pass.

There may be another time and place where it would, and I would hope so. But nevertheless, at this time, in this place, it cannot pass.

Mr. President, the same is somewhat true of CAFE or corporate average fuel economy. We have agreed not to have it as part of this legislation for a number of reasons: First, because of the record losses by our automobile companies in Detroit. They have lost billions of dollars in the last 6 months, an incredibly huge loss where their very survival is put at stake. The automobile companies tell us that compliance with this kind of legislation would put an additional burden upon them which would be absolutely unacceptable in today's financial markets considering the competition with Japan and other automakers.

For that reason, Mr. President, we have deleted CAFE from this bill and hopefully will not consider it, although there would be no unanimous-consent proposal to keep it from being considered as an amendment. Any Senator, of course, is free to do that once we take up this bill. However, at this time, it is not part of the bill and we hope and we expect that it will not be considered as part of this bill. The reason is, Mr. President, that we have a comprehensive and effective energy bill without considering either ANWR or CAFE.

I think it is appropriate to consider where we are on energy. We will recall back just 1 short year ago—this happens to be the Washington Post of Sunday, February 3, 1991. It seems like longer ago that we had the war in Kuwait, but we will remember the headlines at that time, "U.S.-Allies Press Bombing Against Forces in Kuwait." One year ago today, Mr. President, we were at war in the Middle East over the energy problem.

While it has faded somewhat from the memory of Americans, while the reason for that war has faded from memory somewhat, we should never forget that this war, 1 year ago, was essentially because of energy.

Mr. President, it is also appropriate to consider the situation this country is in with respect to energy. Many have

seen these kinds of charts before. This first is energy consumption which has gone up very rapidly. Here is 1990, going up again very rapidly.

This chart is energy production going down very rapidly.

Mr. President, there are fewer rigs drilling than at any time in the history of modern America. There are fewer rigs drilling now than we had in the 1940's during World War II. We are down to less than 700 rigs drilling. At one time we had over 4,000 rigs drilling. Here is the chart on the rotary rigs in operation. As we can see, we were up to 4,000. This chart only goes down to May 1991. It is a further precipitous decline after that if we consider the chart.

This chart, in many respects, Mr. President, tells us what will be the future of oil drilling in America. This chart represents one of the important reasons why I believe that ANWR should be part of this bill. ANWR is not a part of this bill, as I have explained, but the chart shows what the future of domestic production will be.

We have had this same kind of chart with respect to graduates in petroleum sciences at our colleges. They are going down in the same way. People in the drilling business, the infrastructure, all of it is going down precipitously.

This is the actual and projected oil import bill which has gone up very rapidly. Mr. President, most of the balance of payments imbalance in this country is caused by imported foreign oil. More than automobiles. Our President, as we all know, just made a celebrated trip to Japan where he performed some celebrated things. But among others, Mr. President, our President and the presidents, the CEO's of the major automobile companies in effect pleaded, cajoled, argued with the Japanese and said, "Please, Japanese, will you not buy 20,000 American cars?"

Mr. President, 20,000 American cars represents a drop in the bucket to the balance of payments compared to imported oil. A drop in the bucket. Sixty-two percent of the balance of payments imbalance is caused by imported foreign oil.

This bill is mainly about things other than oil, but while producing domestically things other than oil, including, importantly, conservation, we hope to be able to reverse that trend and produce our energy domestically and displace foreign oil.

Mr. President, this chart simply shows what the various sections of this bill are. You can get a very quick view of how comprehensive it is. The CAFE provision, in title III is deleted. Fleets and alternative fuels, which I will explain in a minute, is a tremendously far-reaching proposal. The same is true of renewable energy. Energy efficiency, 26 different sections related to energy efficiency with the exception of the fact that we have deleted used oil. ANWR is deleted. Advanced nuclear re-

actor commercialization is included. Nuclear reactor licensing is included. Uranium enrichment, the preserving of a tremendous business and multibillion-dollar business in this country is preserved through this section. Natural gas, our cleanest fossil fuel and very abundant fossil fuel is included. The Outer Continental Shelf, R&D, demonstration and commercialization activities, coal and electricity, with the exception of WEPCO, Public Utility Holding Company Act reform, and the strategic petroleum reserve all are included.

Mr. President, there are two dominant themes in this legislation. One is very obvious, and that is energy security. We do not say energy independence because we recognize since we are now importing 50 percent of our foreign crude oil and the trends are not to lessen that, even with the passage of this bill, at least in the near future. The trends are that that 50 percent will grow, according to former Secretary of Energy Schlesinger, to two-thirds by the year 1995. According to the Department of Energy, it would reach 70 percent by the year 2010. Pick your estimate and it will be two-thirds to 70 percent sometime in the fairly near future.

So to talk of energy independence in the short-term is not in the cards, Mr. President, no matter whether we do everything that we know how to do, no matter whether we put on tremendous taxes, or whatever we do. In the short-term, the inexorable trend is to import more energy, to be more dependent, not less dependent.

Mr. President, there is a cliché that politicians think about the next election and statesmen think about the next generation. In energy, it is almost that you think about the next century because these trends are so big, so inexorable and so slow to change.

If we were going to drill in Alaska, it would take 10 years to bring the oil on line. If we were to build new nuclear plants, it would take probably 10 years to build those, to bring those on line. Gas-fired utilities would be able to generate electricity a little faster than that, but it would still take years, as do coal-fired plants. A new culture of conservation, which we hope and expect and believe that this bill will generate, also are slow trends because you do not reconfigure both your generating capacity and your use of energy in the home or in the business. You do not reconfigure that overnight.

So we are dealing with long-term trends. But that which we have in this bill will surely change those long-term trends and will surely bring to this country energy independence. Every one of those steps from energy efficiency, to conservation, to alternative fuels, to every section of this bill will help bring us some kind of energy security, effectively so, and we hope within the next few years.

Mr. President, there is another dominant theme of this bill: competition. Competition comes as part of this bill in many ways. First, with respect to infant technologies or emerging technologies. Many of the renewable energy technologies which now are not able to compete have not received the kind of help from Government to lift them up to the status and to the stage where they effectively can compete with the other technologies. Everything from electric cars, to the new clean coal technologies, to the new technologies in nuclear energy, to the new solar technologies, all of those new technologies are helped by authorizations and demonstrations in this bill. So it will bring these infant technologies up to the starting line so that they can compete.

Perhaps the biggest competition, or one of the biggest, will be in alternative fuels. Mr. President, even though Senator WALLOP and I have tried to tell everybody how far-reaching this bill is with respect to alternative fuels, it seems not to have attracted the kind of media attention and attention from our colleagues which it really deserves. It is that far-reaching and it will change the face of energy in our country, particularly automobiles and fleets and trucks in a fundamental way.

What our bill is designed to do, Mr. President, is to put 4 million alternatively fueled vehicles on the road by the year 2000. We begin with the Federal Government, which will have to start bringing on alternatively fueled vehicles by 1995. By the year 2000, it will be required to have 90 percent of its vehicles alternatively fueled. We bring on State and local government also beginning in the year 1995.

With respect to private fleets, by the year 2000 they will be required to have 70 percent of their vehicles alternatively fueled. The requirement for private fleets begins in the year 1998 at 30 percent, increasing to 70 percent by the year 2000. Collectively these requirements for alternative fuels will result in 4 million alternatively fueled vehicles on the road by the year 2000.

Mr. President, the bill specifies that which qualifies as an alternative fuel. The predictable things are there: electric cars, of course, would be alternatively fueled; methanol and ethanol, to the extent they are 85 percent alcohol; compressed natural gas, and liquefied petroleum gas—propane, which is a form of liquefied petroleum gas. All of these fuels would be eligible to compete as alternative fuels.

We allow the market to make the choice. We have many proponents of these fuels who come in and say that electric cars, or methanol, or compressed natural gas is the fuel of choice and will be adopted by the customer. We on the committee have felt that we should not dictate that choice; that we

should let each one of these technologies state their case out there in the market, and to the extent that they can get adherence, those who will invest in their proposals, they would be the winners and the market would choose them.

I happen to believe, Mr. President, that natural gas would be a good choice of much of the market. Certainly in our part of the world natural gas being very common, very low-priced, would be very much the fuel of choice.

I just saw on January 27, Mr. President, for example, that the cost of natural gas per million Btu's delivered to the city gate in New York was \$1.47. That compares with No. 2 fuel oil at \$3.80 per million Btu's. So in effect natural gas is less than half the cost per unit of energy than is diesel fuel. So it is easy to see why many people in the natural gas business and from natural gas producing States believe that natural gas will be the winner when it comes to persuading the market to go toward their fuel. Nevertheless, Mr. President, we do not pick the fuel of choice. We let the market make that choice.

We do require that, in case of private fleets, if you have a private fleet of 50 vehicles nationwide, at least 20 of which are centrally garaged in one location, you have to make the choice and go to alternative fuels. That is easy to say, Mr. President, but I think my colleagues will realize when they think about it that if you have just 50 vehicles, which any cab company has—many law firms have, virtually any company that deals in any deliveries—I guess the pizza companies would probably qualify—they have to begin to have alternatively fueled vehicles.

The reason we made these rather stringent requirements, Mr. President, is that the problem with alternatively fueled vehicles has always been the case of the chicken and the egg. We have always recognized that, for example, natural gas is an excellent fuel to use for alternatively fueled vehicles, and it is very cheap but you have to have a lot of it out there in order for people to have the filling stations that put in the natural gas. With the requirements of this bill, you can be sure that those fueling capacities will be widely available. Indeed, it is the fueling capacity that may dictate the choice of fuel in some respects.

Mr. President, this bill is very much a competition bill also, when it comes to Public Utility Holding Company Act Reform, a very technical part of the law but a very important one.

What the law now essentially says, Mr. President, is that if you are in the public utility business generating electricity, with some exceptions, only you can build your generating capacity. And it says, in effect, that if you build a plant to generate electricity, then

you can put that plant in the rate base and get a guaranteed rate of return, which is generally set by State law and regulated by the local public utility commission. But the incentive, really, is to build a plant that costs a lot of money on the front end that you can put in the rate base in order to get the guaranteed rate of return.

Mr. President, it is not surprising that the cost to consumers has been very high under that kind of arrangement.

In 1978, Mr. President, we had a reform in the law called PURPA—the Public Utility Regulatory Policies Act. And for the first time in that bill, we provided for competition in some limited areas. Those limited areas were in what we call qualified facilities, which were either cogeneration facilities where there was extra steam left over from some industrial process which was used, to generate electricity and sold to the utility, and certain renewable energy, certain solar technologies.

What the law said was that if you get your electricity from these qualified facilities, you can sell it to the utility, or the utility is required to buy it for what we call its avoided cost. Avoided cost is just what it says, the cost that the utility avoids by buying from you rather than generating the electricity itself.

Since 1978 this program has been very successful. The first thing it did was do away with wasted energy, that is, the steam which was going without use by industrial plants. They were able to utilize that steam for the purpose of generating electricity.

So avoiding waste was the first obvious advantage of PURPA. The second was to bring along some of these solar and renewable technologies.

But in the process of developing the procedures by which utilities would be required to buy the energy, they have turned to a competitive method. For every megawatt of electricity that companies need, that utilities need, there have been on the average 13 megawatts offered. And the choice between the available 13 megawatts and the 1 megawatt needed which they would be required to buy has been by competition.

Some 30,000 megawatts have been generated through PURPA through this competition. Thirty thousand megawatts is a tremendous amount. The biggest nuclear plant in the country is probably 1,200 megawatts.

So you can figure this is the equivalent of almost 30 of the biggest nuclear plants in the country. The same can be said of the big, huge coal-generating plants.

So we have generated a tremendous amount through competition. What we have found, Mr. President, is that this competition has produced a lower cost per kilowatt-hour for the consumer. And it has produced a more reliable

source of energy than the utilities themselves have been able to generate. Indeed, there is an article in the *Public Utilities Fortnightly*, which is a magazine that deals with utility problems, entitled "IPP Leveraged Financing Unfair Advantage?" in which it points out that under PURPA using competition there has been a lower cost of kilowatt-hour. There has been a higher percentage of operation.

In other words, these competitively built plants have been in operation or have a lower percentage of downtime than do the utility companies. Consequently, it is advantages which that article says are attributable to competition.

So what we have done, Mr. President, in the Public Utility Holding Company Act reform is to build on that concept of competition and allow utilities to form what we call an exempt wholesale generator or EWG—or another word for them is IPP, independent power producer—and to allow these independents which can be a wholly owned subsidiary of the utility to get into the business of generating electricity, and to offer this electricity to the utilities all over the country.

Utilities are not required to buy their power, but they are now permitted to form either a subsidiary or companies that are not in the utilities business. Let us say General Electric or Westinghouse or one of the big electric companies can themselves form a company for the purpose of selling electricity to the same extent that they do under PURPA, which I just described, and get into the business of competing for the generation of electricity.

Mr. President, this has certain obvious advantages. The first advantage is that the incentives are put in the right place.

A moment ago I mentioned that utilities now have the wrong incentives. Their incentive is to build as big a plant as expensively as possible that they can get approved by the public utility commission. The incentive here is to win the competition and get the lowest competitive rate.

So, in effect, what a utility will do is say by advertisement that we need so many megawatts of electricity, and they would invite proposals. The various IPP's or exempt wholesale generators would then come in with their proposal saying that I propose to give you so many megawatts of electricity over such a period of time, delivered in such peaks and valleys and priced in such a way. Then the utilities could make the choice between these competitors as to not only who is the cheapest but who is the most reliable because reliability of course is a very important part of determining whether or not to accept a proposal in a certain way.

So by this kind of competition, Mr. President, we put the incentives in the right place.

It also has the advantage of specialization. What we found in PURPA is that different companies were able to specialize in different technologies. One particular company specialized in fluidized bed coal generating power which is one of the new clean coal technologies. Another specialized in particular kinds of solar energy. Others are specialists in cogeneration.

We would receive a lot more specialization, I would suspect, under the Public Utility Holding Company Act reform because the PURPA bill is being limited just to renewable technologies and to cogeneration. But under this Public Utility Holding Company Act reform, you could have all kinds of specialization so that companies would benefit by, in effect, mass production, by the economics of scale, by the accumulated knowledge which they would achieve by doing the same thing over and over again.

Again, Mr. President, under our present utility law, the utility companies can effectively build only for themselves.

Many, for example, have built one-of-a-kind plants and done it only once, so with the custom design, you build a new coal plant, it will be a coal plant for you alone, or a nuclear plant, one that maybe has never been done before, which you must do through your own employees and make your own mistakes, your own new mistakes, over and over again. With the Public Utility Holding Company Act reform, you can get specialists who will be the best that the world has to offer in various technologies.

I might also add that in developing this technology they will also develop worldwide expertise, which will be exportable to other countries, as well, so that it will help, we believe, the balance of payments a great deal.

It will also help in the economics and the efficiency of capital formation, because you will be able to form capital for individual plants to do an individual thing, rather than, as today, if you want to invest in a coal-fired plant, you must invest basically in a utility which sells electricity at retail as well as wholesale, and which is subject to all of the problems of a regulated utility. This is not so with respect to an exempt wholesale generator under this bill.

So, Mr. President, the Public Utility Holding Company Act reform is a very, very important part of this bill. It will, for example, with respect to natural gas, make it possible for companies specializing in natural gas turbines to be able to put together a source of natural gas and to build these kinds of plants, similar to what a company called Enron in this country is doing over in England now. They are building a 1,700 megawatt gas-fired turbine, driven by North Sea Natural Gas, one of the biggest electricity plants of any

kind in the world, and the management of Enron tells me that they can do that all over this country with Public Utility Holding Company Act reform. Their CEO tells me that if we need 100,000 megawatts of additional electric-generating capacity in this country by the end of this century, that fully two-thirds of that could be furnished by gas-fired turbines.

I might add that companies in alternate kinds of energy also speak optimistically about their ability to meet the demand, as well. But the point is that it would enable that kind of competition to take place. And if, in fact, natural gas were the winner of two-thirds of the next 100,000 megawatts of electric-generating capacity, it is easy to see what that would mean in terms of clean air, in terms of less SO₂, in terms of less NO_x, and in terms of a break for the consumer. So in effect, Mr. President, the Public Utility Holding Company Act reform would be a tremendous and important part of this bill.

Mr. President, another very important part of this bill is nuclear licensing reform. We have not had a new nuclear plant ordered in this country since, I believe, 1978. Part of the reason for that is the uncertainty of licensing under our law. In order to get around that problem, the Nuclear Regulatory Commission, in 1989, came up with a provision of law called "part 52," which totally redoes nuclear plant licensing in this country. The Nuclear Regulatory Commission, for years, had preferred that the Congress deal with this, because there was some question about the limits of their ability under rule-making power, to change the nuclear plant licensing process, considering the restraints and restrictions and limits of the Atomic Energy Act of 1954.

Nevertheless, after years of congressional inaction, Congress having gone on without dealing with this subject, the Nuclear Regulatory Commission came up with part 52, which fundamentally redoes nuclear plant licensing.

Since that time, the nuclear plant licensing, as set forth in part 52, was attacked in the courts, and the power of the NRC to adopt part 52 was sustained in part, and thrown out in part. It is now under reconsideration and rehearing in the full U.S. Court of Appeals for the District of Columbia circuit. So, in effect, it will be considered by all of the judges, rather than just the three judges who dealt with it; and after that, it will probably be appealed to the U.S. Supreme Court.

Mr. President, part 52, in our view on the Energy Committee, was a very worthwhile and fundamental and almost revolutionary change in nuclear plant licensing which very much needs to be upheld. The court of appeals, in throwing out or disallowing part of the rule—declaring it what we call in the law *ultra vires*—that is, beyond the au-

thorization of the law—the court was not dealing with the question of whether or not it was desirable, whether the safety standards were adequate, whether or not it would be an economic advantage, or any other question of that sort. Rather, they dealt simply with the power of the Nuclear Regulatory Commission, as defined and constrained and limited under the Atomic Energy Act of 1954, and whether their legislative authority extended that far.

So what we do in our licensing proposal, Mr. President, is to ratify legislatively what the Nuclear Regulatory Commission did in part 52. And we make three other modest but important changes which, in effect, give the Nuclear Regulatory Commission a little more discretion.

For example, we give them discretion in the case of an amendment to the combined construction and operating license. After they are given the combined construction and operating license, if they wish to amend that license in a small way, which does not in any way affect the safety of the plant, the Nuclear Regulatory Commission, under our bill, could give them the authority to do that without withholding the operation of the plant until they have had the public hearing, which in effect would be a lengthy trial.

Frankly, the Nuclear Regulatory Commission says they will probably not use that power, because they wish to discourage amendments to the combined construction and operating license. Nevertheless, it is a degree of flexibility which the bill gives to the NRC.

Another very important change which we make in part 52 would allow the Nuclear Regulatory Commission, in such cases where they grant a public hearing after the combined construction and operating license is issued, to allow the plant to go forward, even though a hearing might be called on some issue, if they can determine without question that during that period of operation the plan will operate in a safe manner. And the kind of example we have in mind here, Mr. President, is the kind of situation we had at Yankee Rowe, where after the reactor had operated for some 30 years, the reactor vessel became embrittled by the bombardment of neutrons over that long period of time. The question there was not whether the reactor was safe in the first 30 years, but, in effect, whether it was safe thereafter. So there will be situations where a reactor could be allowed to go forward under this amendment either on limited power or on full power for a limited period of time while the hearing goes forward. This would again grant to the Nuclear Regulatory Commission some flexibility, which is greatly needed.

Mr. President, the fundamental thing that this bill and approving part 52 does is to allow the hearings and the li-

censing process to go forward in a much more efficient way. Prior to part 52 there were two licenses. One was a construction license, and companies would typically come in before they even had their plans complete. I guess the average amount or percentage of the plans that companies had, I am told, is about 30 percent. They would get their construction permit and then proceed with construction. Their operating license would be debated and the hearing would go forward during construction. A plant might have been well along with the construction process before the NRC could ever consider what precisely it was that they were approving.

It is no wonder that there were many, many billions of dollars spent on changes ordered by the NRC during the construction process because the NRC had never, either in the first instance, or never fully, at least, approved and considered the details of the kind of construction which they would have.

We also found that things like the emergency evacuation plan, things like the siting of the plant, whether it was sited in an appropriate place, had never been fully considered. Consequently, we have gotten in situations where, after the fact—as in the Shoreham plant, for example—all of a sudden the NRC was asked to deny the operation of that plant because it was put in the wrong place or because its emergency evacuation was not proper.

What part 52 does, Mr. President, is it puts all of those questions which possibly can be considered in the earlier part of the consideration so that all of those things can be fully debated. In effect, what part 52 does and what our legislation ratifies is to have three different licensing processes. The first has to do with the approval of the site, so that a company which wanted to build a nuclear plant at a certain site, let us say Shoreham, would make application to approve Shoreham and would go forward with all of those parts of the license which reflect upon the site—emergency evacuation, population patterns, egress and ingress, atmospheric patterns. All of those things that relate to the desirability or nondesirability of locating a plant in a certain site would be put into that part of the licensing which deals with the site. It is expected that the siting of a plant and the dealing with public hearings would be a process which would extend over 2 years or more. It is expected that, indeed, that process might average 22 months because it would be a thorough and complete process relating to the site.

The second kind of license that part 52 envisions is a generic licensing of the particular kind of nuclear plant. When the Atomic Energy Commission Act of 1954 was passed, there were many, many competing technologies and no definite determination as to

what kind of plants would be built. In Colorado, they built a high-temperature gas reactor at Fort St. Vrain. Eventually, Admiral Rickover and his group, which had designed the nuclear submarine, were able to convince the AEC that the best kind of technology was that which was in nuclear submarines. But, in the process, they never got around to a process which approved a standard design for a plant. What part 52 does is to provide for that standard design.

There is now ongoing, Mr. President, a great deal of research on brand new designs which will be even better than the best that now is available. There is one plant called the AP-600, which is a 600-megawatt modularized design, being carried on by Westinghouse. There are other designs, which are claimed, by their designers, to be inherently safe because they have a cooling capacity which is not dependent upon the use of pumps in order to cool the reactor.

At the time when a standard design is finally licensed, as we expect it will be licensed, then they will go through all of the problems of licensing the plant, fully approving what the technology is. In certifying the standard design, all of the potential defects, all of the scientific arguments, all of the difficulties of approving a license would be approved in advance for that particular kind of design.

Therefore, it is expected that before the next nuclear plant is built, under part 52, a company would first have to go through the years which would be required in siting the plant and approving the safe design of the plant. They would have to get approval for the generic design. Then they would go into the third kind of licensing, which is a combined construction and operating license.

With the combined construction and operating license, the process begins when you already have the two other licenses, that is, the site permit, the license for the site, and the generic design certification. And you would then have to prove to the NRC that you are entitled to your combined construction and operating license. And, again, any new allegation that would have to be approved would be, in effect, litigated in this third licensing process.

The important thing here, though, Mr. President, is that all of these things are done before construction starts. It is important, indeed it is critical, if nuclear power is going to be able to compete for whatever share of the energy market it might be entitled to under a competitive system, that the uncertainty be taken out of the process. And you take the uncertainty out by having all of these determinations which can be made in advance, made in advance. So you would go through this long process, which, again, we expect would extend over a

period of many years, and then, finally, a combined construction and operating license would be issued.

After the combined construction and operating license is issued, then the plant would begin construction and that construction might take 5 or 6 years or more. As the process proceeds, the Nuclear Regulatory Commission would satisfy itself at every stage of that proceeding that the plant is being built in accordance with the combined construction and operating license.

Informal hearing procedures could be used as well. If the Nuclear Regulatory Commission found it necessary to use the formal hearing procedures—that is, the courtroom type procedures—they would be able to do so if, in their judgment, they thought it was proper.

However, Mr. President, it seems clear to us on the Energy Committee that it was much preferable to give the NRC the authority to have informal hearing procedures. We found under the old law that for many of these issues, for example, the determination whether a weld was right or not, it is much better to allow the scientists to settle that question than to do it in the atmosphere of a court. And why is that? Because if there was any question about the integrity of that weld, scientists would say, well, let us go out and re-x-ray the weld rather than spend weeks and months litigating about whether the chain of custody on the x rays was proper. They would be able to say, if there is any doubt about it, let us go re-x-ray it and do it as scientists.

That is why the informal hearing procedures are in many respects more in the protection of the public than are the formal procedures.

Finally, Mr. President, if there is any new matter that arises that was not considered at the time of the siting permit, at the time of the generic license permit, or at the time of the joint construction and operating license, then that may be brought up under existing provisions which have worked very well, called section 2.206, which charges the Nuclear Regulatory Commission at all times—after a plant goes in operation, as well as after a plant, under part 52, gets its joint construction and operating license—this section charges the NRC with the requirement of at all times seeing that plants are run in a safe manner to protect the public.

And so at any one of these four stages, the public is fully and completely protected.

Mr. President, our purpose is not to build any kind of particular plants under this bill. We heard a charge that we are trying to build gas-fired plants, that we are trying to build nuclear plants, that we are trying to build this kind or the other. The fact of the matter is, Mr. President, what we are really trying to do in this energy bill is to

put all of these technologies on a footing so that, first, the public will be protected and, second, that the market will be able to work efficiently so that the winners will be those things which are most in the interest of the public.

So that after we pass part 52 and put it in law, there is no guarantee at all that any nuclear plants will be built or that under other sections of the bill that any particular technology will be built. But it will be possible for an electric utility to make a choice of any of these technologies and let them compete in the marketplace so that the uncertainty, the impossibility, will be taken out of the financial decisions that go into not only licensing but go into the choice of technology.

Mr. President, briefly turning to energy efficiency, there are 26 sections of this bill dealing with energy efficiency in the industrial, commercial, and residential sectors. We do everything from building standards on buildings, to standards for electric motors, electric lighting, appliances and a host of other things which I will not, at this time, take the time to read, except to say that they are very, very far-reaching amendments.

So, Mr. President, what we have here is a comprehensive bill, one that will be effective, and I hope that my colleagues will look at this bill with the same degree of enthusiasm with which the Senate Energy Committee looked at it.

Mr. President, I urge my colleagues, to the extent that they have amendments, if they do—and we do not seek them but we understand the inevitability of them—we would urge them to get those amendments to us as quickly as possible. Where we can, we will approve amendments; but at least we will be able to schedule them for action.

It is my hope, Mr. President, that this bill will move fairly fast. It has been pending now on the floor of the Senate since last June, the greater part of a year. If there are amendments to be had, I hope and expect that our colleagues would, in the almost 8 months time, have been able to discern what those amendments are and have them prepared and ready. If there are amendments that they have had and need help in drawing up, whether we approve them or not, we would be happy to help give technical advice through our staff in getting those done.

But we would urge and caution Senators that this bill may well move fairly rapidly. So if you think you can wait until after the recess to begin bringing your amendments, that may well be too late. We hope to move the bill, in our flush-with-optimism hope, fairly quickly here on the floor of the Senate.

Mr. President, this is a good bill. It is, we would venture to say, a great bill, and we hope it will be overwhelmingly approved by the Members of the U.S. Senate.

I yield the floor.

Mr. WALLOP addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. WALLOP. Mr. President, let me begin by expressing my thanks to the Senator from Louisiana. He has been a fine chairman with whom to work. His staff has been a fine staff with which to work. And the product that we have achieved is a bipartisan bill.

Yes, it comes from the minds and compassions and the energies of two Senators from energy States. But that might be viewed as something of a benefit to a Senate that spends much of its time relying on people with little expertise for the development of legislation which has far-reaching effect on the lives of Americans.

There are not very many phrases that have not been uttered by one Member or another of this body about the failure of Congress, administrations, or anyone else to formulate a national energy policy, or who have not lamented the economic, trade, and human consequences of our country's critical dependence on imported oil from the politically unstable Persian Gulf.

Indeed, as we talk, there are people talking in America, in both parties, all over, about the balance of payments problem, about the lack of jobs, about the lack of technology advances, and one thing or another. During the Senate's consideration a year and a bit ago of the Persian Gulf resolution, there were statements made once again blaming our problems there on the lack of a national energy strategy. Quoting one Member, he said:

Not a single soldier should lose his life in the Persian Gulf because America has no energy policy worthy of the name to reduce our dependence on foreign oil.

Interesting, how easy it is to throw out glib phrases about the lack of an energy policy; how difficult it is to bring yourself to the table and vote even to proceed to the consideration of such a thing. The fact of it is, for whatever reasons, no energy policy constituency was created by the events of a year ago. No one to my knowledge paid a price for voting against the motion to consider S. 1220 last year.

I am not so persuaded as my friend from Louisiana that there is absolutely no chance for this Senate to consider the production of energy from America's greatest extant potential resource, ANWR. I think and believe that the situation in America has changed considerably from last fall, when people were able to be quite glib and ignore the fact that 700,000 jobs are going to be created, ignore the fact that \$200 billion in the balance of payments of America will be reduced by that, ignore the fact that this has a significant potential increase for our economy, and ignore the fact that the revenues from ANWR are those revenues necessary to advance

America's technology in the fields of conservation and advanced utilization of energy and energy concepts. These revenues could be the means by which America regains some of the great technological edge that has been lost.

I am not going to say there will be no great investment in energy technology, conservation technology, alternative fuels, should ANWR not pass. But I am willing to say that there will be a far less great investment in that and a far greater chance for those in the world who are nowhere near as advanced as we are now. These will be America's export technologies of the future, if this Congress is willing to do something about it.

Over the years, at one time or another, everybody in the Senate, everybody in the Congress, and everybody who was in the Senate, and everybody who ran for the Senate, has characterized the formulation of long-term comprehensive and consensus-based national energy strategy as one of the most important tasks facing the Congress. That is until faced with facing the task.

Last year's energy crisis not only demonstrated our vulnerability, but indeed tipped the economy toward recession. Widespread harm was inflicted on all Americans. We now have a chance, a chance to address that situation.

I agree with my friend from Louisiana that energy independence is not what this bill is about. It is not what we set out to do. It is not within the reach, nor should it be within the concept of this.

I also agree with him that much of what we do now will have its major effects in the next century. But it is about energy flexibility: the ability of this country to use its own resources; the ability of this country to have alternative resources; the ability of this country to gather together that which we possess in abundance—and deny ourselves almost to the point of extinction—and that is alternative energy resources. And when I say alternative energy resources, I am not using it in the glib phrase of the President, meaning anything but oil. I am saying oil is part of the alternative energy resources that America has.

It is inconceivable that a Nation so wealthy as America in the rich variety of energy sources would deny itself so many of them to the point of creating recessions, to the point of creating huge trade imbalances. And those trade imbalances that are due to energy are there on purpose. They have been brought to you courtesy of the Congress of America, courtesy of the Presidents of America. These are specific decisions that have been made and these are decisions that can be righted in the next week or so. Consideration of this bill will go a long way toward telling this Senator whether we have become a prudent country or whether we are a

country beset by navel gazing, whether we are a country that can choose things that are in our own self-interest.

And ANWR, Mr. President, is in our own self-interest. It is not conceivable that anyone can make the argument that, by failing to produce the resources that belong to America in Alaska, that that amount of oil and gas will not be used in America. For so long down the road as you can see, even with the most ardent pursuit of energy technologies that are not related to oil and gas, oil and gas will be used.

So what those who say this resource does not belong in our pocket are telling Americans is that we are going to continue to have a balance of payments imbalance. We are going to continue to put these moneys that would go to Americans into the hands of Arabs and Indonesians and Central Americans and others, whose specific interest is not America's energy efficiency. So I am hopeful we might be able to do that.

I mentioned I hoped we might demonstrate to America that we have become a prudent country and we can lift our eyes up off of minutia and take a few risks. Choosing self-interest means choosing a couple of risks. Risk can be prudently weighed, but risk cannot be eliminated. Risk is part of existence on this planet, and the most careful assessment of all events cannot eliminate the fact that something different than that which was predicted will take place.

Can anybody predict or describe to me what America would be if over the last century and a half we had taken no risks? We would still be huddled on the shores of New England, having been overwhelmed by the initial risk of coming across the ocean. We would have settled no territory, conquered no visions, certainly not gone to the Moon, certainly not dammed the rivers, certainly not traveled West, certainly not bought Alaska, for goodness sakes. Then we would not even have this problem, if we had not taken that risk.

The fact of it is we have become so timid as a Nation that we refuse to move unless we have laid to rest every conceivable risk.

The problem is that it is inconceivable that you cannot conceive of one more risk. So we reduce ourselves to a Nation where there is nothing too small to terrorize us into inaction.

What the Senate Energy Committee has done is take a look at America's energy needs. Have we met every one of them? No. Have we embraced every risk? No. Have we rejected risks as too great? Yes.

But we have done that which has not yet been done in the Congress of the United States, and that is put together a comprehensive energy strategy that deals with production, that deals with

conservation, that deals with new technology, that deals with modern efficiency, and deals with competition and weighs in the balance those things which might ultimately be of great benefit of our country.

This much I can tell you, Mr. President, that failing to do these things will not be of much benefit to this country. It will benefit a few politicians who once again go out to the hustings and decry the lack of an energy policy and will somehow or another shoulder no blame for having killed it in the process, certainly not claim that blame, and will go to tell the people of America how courageous they have been in proposing an energy strategy.

Senator JOHNSTON and I sat down with one thing in mind and that is to embrace an arising of America's energy needs as we could, and to give this Senate an opportunity to vote on just such a thing. It refused that opportunity last year, Mr. President. I hope in 1992 that, with perhaps a new transfusion of confidence, we can begin to get a transfusion of policy which will move America into the next century. It is a transfusion of jobs.

S. 2166 would create jobs, it would lower the unemployment rate, encourage economic growth. GNP by the year 2000 would be \$30 billion higher than if we did not pass S. 2166. There ought to be a constituency for that figure. We ought to be able to persuade somebody that that is of benefit to a Nation whose GNP must grow if we are ever going to satisfy the debt that we have.

Cumulative increase in GNP by the year 2000 would be more than \$550 million, Mr. President. That is not a bad figure. That is a figure that is going to happen if we do this, and it is a figure that is really not going to happen; in fact, it may be the cause of decline in GNP, should we neglect to embrace the opportunity the Senate Energy Committee has presented here.

I have watched for 15 years from the Senate special interests from every extreme. Environmentalists and supply economists alike tie up congressional debate on energy policy. Because of this failure to adopt such a thing, our imports in 1990 supplied 42 percent of our own needs. That is all. More than half of our balance of trade deficit, \$65 billion, that is all. That is what happens and that is the gift of the Congress to the people of the United States. Continuing failure to enact a strategy will leave the United States still dependent upon foreign oil, still dependent upon oil and upon foreign oil sources.

We are looking at 75 percent of the uses of that commodity, Mr. President, in less than 20 years, according to the Congress' Office of Technology Assessment. The President on the 24th of July emphasized on the legislative front that we have made substantial headway since we released a strategy

last February. We need Congress to act wisely and act soon on this important domestic policy initiative.

Senator JOHNSTON and I tried to do that for this Senate. It ran aground, and I say again, I am a political realist and so, too, is the Senator from Louisiana. We know that people pay no price for having voting against the motion to proceed to the consideration of an energy policy. I am hoping somehow or another America realizes that what politicians say to them and what politicians are willing to do for them sometimes vary enormously.

This is not a Republican-Democratic issue. This is a politicians' issue. This is just kind of the nature of the breed. We have continued to give long-winded speeches, such as I am giving now, about the need for energy policy, and refuse to be placed into the breach where those speeches can be translated into actions and the risks embraced in America's interests served by the one thing that God and the Founding Fathers gave us; that is, a democratic arena in which to do it. But a democratic arena cannot function as it should debating these issues unless Congress, in this instance the Senate, is brave enough to embrace the concept of considering the bill on the floor of the Senate.

We considered it last fall, Mr. President. It is well known there was a motion to proceed, all we were able to summon courage enough to do, and we were not even able to summon up courage enough to proceed.

Tomorrow, when that vote comes, I and the Senator from Louisiana hope that the Senate might have reconsidered that fact of timidity and that it will consider the provisions and proposals in this legislation not for the fact that no risk is attendant to them because risk is attendant to every one of them, but because it can move America out of a doldrum that is at least, in part, specifically attributable to our lack of energy, flexibility and our lack of willingness to proceed technologically, regulatively, competitively in a world that is increasingly passing us by, by our own choice, Mr. President.

So tomorrow, let us get to the bill and debate its merits and see if we cannot prove to the American people that our rhetoric is for, just this once, where our action and our courage has led it to be.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BUMPERS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFERENCE ON OLDER AMERICANS ACT YET TO OCCUR

Mr. MCCAIN. Mr. President, this is not a happy day for our Nation's seniors. In spite of the fact that the Senate and the House passed the Older Americans Act prior to Thanksgiving, we have yet to convene the conference committee in order to reach agreement on the final version of this critical legislation for our Nation's elderly. This is, indeed, unfortunate.

Included in the Senate version of legislation is the amendment that I supported to repeal the Social Security earnings test, which was approved unanimously in the Senate during debate on the legislation.

After passage of the Older Americans Act reauthorization bill, the Senate appointed conferees in the hope that this important legislation might be conferred and signed into law before Congress recessed for the year.

It is of great concern to me and others who are strong supporters of the Older Americans Act reauthorization bill that it is now the end of January and the House has still not appointed conferees.

I am told that some in the House are holding up the appointment of conferees because they do not want to address the critical issue of the Social Security earnings test. Mr. President, if this is true, I think we need to bring to the attention of the American people that it is of the utmost importance that this issue be addressed.

This measure was adopted by the Senate and enjoys broad-based support from tens of millions of seniors across this country. We all recognize, however, that the democratic process involves compromises.

Virtually every Member of Congress now supports a liberalization of the earnings limit. The difference is in the details. Some support a modest liberalization; others support outright repeal. But I do not think any of us want to see the Older Americans Act reauthorization bill continue to languish. It is time the House appointed conferees so that we can try to reach some acceptable compromise on the critical issue of the Social Security earnings test.

I would like to emphasize that I wrote a letter to the distinguished chairman of the Finance Committee, the chairman of the Ways and Means Committee, and others stating clearly my strong desire for us to meet and compromise on this issue. If those who are opposed to the repeal of the earnings test are worried that it may benefit too many wealthy seniors, I am certainly willing to look at a cap on that earnings test penalty, at some reasonable position, or even a gradual removal of this earnings limitation; earnings test. But the fact is that it is unacceptable to continue to hold up this critical legislation for our Nation's seniors by not appointing conferees.

We are ready to sit down with those who would be responsible for this issue in the conference committee to see if we can reach a compromise; but so far to no available. While our repeated efforts have not met with success, we hope we will be able to sit down soon.

It is time that Congress complete action on the critical Older Americans Act reauthorization bill and get it to the President for his signature, for it is the most vulnerable of our seniors who are hurt by this delay.

Mr. President, I do not have to repeat the important issues and programs that are part of the Older Americans Act. In fact, Meals on Wheels and many other very important programs to our poor elderly are included. I hope that we will be able to provide those programs, both new and reauthorization of existing programs, to our seniors at the earliest possible date.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. AKAKA). The absence of a quorum has been suggested, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, is the leaders' time reserved?

The PRESIDING OFFICER. That is correct.

The Senator from Kansas is recognized.

Mr. DOLE. I thank the Chair. (The remarks of Mr. DOLE pertaining to the introduction of Senate Joint Resolution 247 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

MORE TAKE-HOME PAY FOR AMERICANS

Mr. DOLE. Mr. President, every year, the Federal Government accepts interest-free loans from millions of working American families by withholding too much in taxes. In my view, the last thing the American people want to do is lend their big-spending friends in Congress any more of their hard-earned dollars. In fact, 1990's tax returns showed that the Government overwithheld about \$70 billion, and owed money to more than 80 million taxpayers.

Thanks to President Bush's innovative program unveiled last week, working Americans will soon be putting more of their wages into their own pockets, instead of Uncle Sam's.

Starting in March, millions of workers will see an immediate increase in their take-home pay. Nationwide, take-home pay for low- and middle-income Americans will jump by \$25 billion over

the next 12 months—that is real money.

It is not nearly as complicated as it may sound. In fact, taxpayers will not have to file any paperwork to take advantage of this Presidential initiative. That is right—no redtape, no aggravating forms, no phone calls to the IRS—the increase in take-home pay is automatic.

And workers who use the withholding system as a kind of “forced savings account” may continue to do so by merely notifying their employers to withhold an additional amount to be refunded later.

This permanent adjustment to the Tax Code may mean smaller tax refunds in 1993, but according to IRS Commissioner Fred Goldberg, nearly 9 out of every 10 taxpayers who currently receive a refund will still get one.

Critics say this adjustment will not make much of a difference—but then again, the critics always find it a lot easier to criticize than to offer a plan of their own. But, let us let the American people decide if they like this plan. If you ask me, working Americans work hard for each and every dollar they earn, and if they want to spend or save those dollars now, who are we to say they cannot?

I also add that over the weekend I noted that a member of the President's Cabinet said this is a gimmick. This is not a gimmick. It is an adjustment of withholding. It should be supported across the board, particularly by those who work for President Bush. It seems to me, as a Republican, that one way to sell the President's plan—and it is the only plan in town—is for those who speak for and work for the President to be united and to repeat the message every day. If we are going to jump start or give the economy a push, we need to act soon, and we hope to do it by March 20. Particularly those who are in the President's Cabinet should never waiver in their support of President Bush.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WIRTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ENERGY SECURITY ACT

MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

Mr. WIRTH. Mr. President, we are about to embark upon an enormously important venture for the United States of America, for our national security, for our budgetary security, for

our environmental security, for the future of the Nation. That is this energy bill, a long time in the making, which is going to be here on the floor tomorrow. And let us hope we act on it expeditiously.

I want to start by commending the distinguished chairman and ranking minority member of the Energy Committee, Senator JOHNSTON and Senator WALLOP, who have committed an enormous amount of time and effort to getting this bill to where it is. We have had some disagreements along the way. That was understandable. Nobody would expect us to agree on everything.

But now, as we consider taking up S. 2166, I think we are in very broad agreement. I want to thank them for their very hard work and for their pragmatism, and I urge my colleagues to support taking this bill up and acting on it expeditiously.

Last year, we had a freewheeling and often impassioned debate on a very different energy bill, and we saw that the weight of controversy attached to several of the items in that bill would keep us from moving forward on many of the other important issues addressed in that legislation.

At that time, I suggested that while the strong opposition of many other Senators, myself included, to opening the Arctic National Wildlife Refuge to development would prevent any bill which did that from moving forward, there were many, many other areas of the bill in which the Senate could and should move forward on energy policy.

I am pleased that we have all come to that conclusion now, and that we have decided to press forward on this new bill, absent those enormous, controversies of the Arctic refuge and automobile efficiency standards. People still feel very strongly about both of those. I understand that strong feeling. But I think it is clear we could not pass a piece of legislation so long as those items were in it.

Now that they are out, we have the strong center core of the bill to move on, and to move on rapidly. It is very important that we all focus on that center section, on what is in this bill. I heard the distinguished chairman of the committee, Senator JOHNSTON, talking at length about that earlier today. And I agree with him on how it provides us with very real and important opportunities to address very real needs: The need to change our energy policy, and the need to focus better on our energy future.

This is a very large and important bill. It has 400 pages and 14 separate titles. This is a very solid, substantive piece of legislation.

I do not intend to go over the whole bill. But I would like to talk about three elements in the legislation: what it does to improve our energy efficiency; what it does to create real al-

ternatives to gasoline for our automobiles and trucks; and lastly, what it does to increase our use of natural gas, an enormously promising fuel for the future of the country.

To begin with, I would like to start to lay out why these are such key elements in our energy policy, why efficiency, alternative fuels for our transportation fleet, and natural gas are so enormously important.

This first chart, Mr. President, I think, makes the case very well. It shows what our overall energy consumption is, and then it shows what our dependence is on various energy sources. The chart shows us how extremely dependent we are on oil. We see natural gas and coal contributing a far smaller portion of our energy needs, and nuclear and others contributing an even smaller amount. We are extremely dependent upon oil.

Natural gas is only 23 percent of our overall survey consumption. Oil is more than 40 percent of our country's energy consumption. Oil dominates our energy picture. Furthermore, more and more the oil that we use is imported. Oil products have increased some 63 percent since the mid-1980's and we now import more than 7 million barrels of oil a day. What does that mean?

First of all, let us just look at what has happened to our oil imports. They jumped up in the midseventies, dropped back down again as we increased the efficiency of our cars and increased our own oil production. The higher oil prices that came from the 1973 oil embargo and subsequent price spikes helped make us more efficient. Then in the mideighties we saw oil imports start to climb again. Here is where we are right now, back to importing as much or more of our oil than ever before. And following the current policy trends without the changes that are in this bill, we are going to see our oil imports continue to rise.

That is an enormously dangerous trend for us to have. Even with the very low oil prices we have today, these imports are costly to our economy. We have about a \$100 billion trade imbalance. We are importing about \$100 billion more than we are importing.

The President went to Japan recently, and they talked about auto imports. I think auto imports are about \$23 billion into the United States. Oil imports are more than twice that, and yet we have not focused on that. We have focused only on the auto side of it.

Last year, oil imports were 54 percent of our trade deficit, up from 42 percent in 1989 and 33 percent in 1988. What is happening is that we are doing better in other sectors of our trade and doing worse in oil, so that oil imports are a growing part of our enormous trade deficit.

How do we change this? How can we reduce our oil imports? How can we re-

gain some measure of control over world oil prices, which are now set by the Middle East.

We just went through a war in the Persian Gulf that the President told us we were engaged in to restore the legitimate Government of Kuwait. I think it is fairly clear that our real concerns were Saddam Hussein's weapons of mass destruction and oil. We did not want Saddam Hussein standing across that enormous pipeline of oil coming out of the Middle East.

Having said that, Mr. President, what do we do to move ourselves out of that? Can we produce oil and get ourselves out of that? The next chart clearly points out that we are not going to be able to. The reserves of oil in the Middle East are simply enormous, and, as long as we remain so dependent upon oil, the Middle East is going to continue to have leverage over us, over prices, and we be vulnerable to the kind of scares that we had a year ago.

Our U.S. reserves are very, very small compared to these enormous known reserves in the Middle East. We simply do not have the reserves to compete with the Saudis. We have been at finding and producing our oil for a lot longer than they have, and we have done a good job. Even if there are a lot of new Prudhoe Bays out there, they will not make much of a dent in this overall balance of world oil power. The Middle East has 660 billion barrels of known reserves, and the United States has 25 billion barrels.

So what does that tell us? That tells us that we have to change our ways. The future of oil production is in the Middle East, but we are not powerless by any means. We have a great deal of power over the world oil market, but not as a producer. We have only 2.8 percent of the world's oil now, but we use 25 percent of all the oil that is consumed annually. We have great leverage over world oil, but it is not as a producer. It is how we use that oil. A minor change in U.S. oil consumption makes a big change in the world oil market. By our consuming less, since we consume 25 percent of all oil consumed annually in the world, a minor change in our consumption can have a lot of leverage over world supply and world prices. So we have leverage, not as a producer, but as consumer.

And that brings us back to the three areas that I think are the most important in this bill—efficiency, alternative motor fuels, and increasing our use of natural gas.

The first and most important component of any comprehensive national energy policy must be energy efficiency and energy conservation. That is what Secretary Watkins' national energy strategy said when it came out of the Department of Energy. Much of that was lost between the Department of

Energy and the White House. But most of the experts who came and testified in 1990 and early 1991 on the national energy strategy said energy efficiency is the starting point; that is, using less energy to attain the same services. And most of the public identified efficiency as the area where they most strongly supported strong Federal action. Efficiency has to be the cornerstone of any energy policy and certainly is of this legislation. Energy efficiency is the best strategy that we have to improve our energy picture, our economic competitiveness, and our environmental quality.

Is there room for us to improve? Let me point out, if I might, Mr. President, how much room there is for us to improve. This chart shows the amount of energy consumed to produce a unit of gross national product in the United States and several other countries.

The Swiss are about three times as efficient as the United States. The Japanese, about 2½ times as efficient as the United States. The French, twice as efficient. The Germans, about 50 percent more efficient. Only the Canadians are less efficient than we are in the use of energy in producing units of gross national product.

Clearly, these are not perfect parallels by any means. We have a different transportation pattern than these other countries, and we have a different history, and so on. But this is certainly illustrative of the fact that there is an enormous amount of room for us in the United States to change our energy consumption patterns. We can certainly increase our efficiency significantly. We have a lot of room to improve our energy efficiency.

Mr. President, there are major economic consequences of this. Our Nation is now paying about \$400 billion a year for energy—\$400 billion a year. If we were just to close half the energy gap between us and the Japanese, we would cut our energy bills by \$100 billion a year. Imagine what that would do to our import bill and imagine what that would do to our overall economic efficiency. We are obviously wasting a great deal of energy and much of what is in this bill are very significant incentives for energy efficiency. It is good for every bit of our country's health.

Assuming that there is a lot of room in energy efficiency, what are the most important areas for us to focus on? I should point out that the largest cost-effective opportunity for energy efficiency is not in cars and trucks, as everybody imagines—and that is an area that is extremely controversial and difficult to do. Our national laboratories have estimated that the greatest opportunity is, in fact, in our building standards, in our building envelopes. Forty percent of the cost-effective improvements we could make in this country's energy efficiency, improve-

ments that pay for themselves in reduced energy bills, are in our residential and commercial buildings.

This legislation, and strengthening amendments that will be offered by myself and others, will make very significant steps toward realizing those and other energy-efficiency opportunities.

In the area of buildings, this legislation will set aggressive new standards for States to use for commercial and residential building codes. We have set product standards for heating and cooling products, shower heads, and utility transformers. And, I will be offering a major amendment to improve the efficiency of lighting products and electric motors, which has the support of the makers of those products and of the conservation community.

This effort also includes a significant new effort to cut the Federal Government's \$4 billion annual energy bill. We in the Federal Government are paying \$4 billion a year for energy. Senator GLENN will be offering a comprehensive amendment to improve this effort, and I will be supporting him in that.

This bill moves the States toward adopting state-of-the-art regulatory reforms, that allow utilities to earn the same profits from investments in energy efficiency as they currently earn from investments in new power plants. It is extremely important for the States to move in this direction and it is very exciting that this bill employs such creative new provisions for the Nation's energy policy.

Economic incentives are throughout this bill. It is terribly important that we take a leaf from the good economic incentive work that was done in the Clean Air Act, from the work of Project 88 and other efforts, to make sure we provide the right economic incentives to enable us to harness the potential of energy efficiency. If we do, we can save a great deal of energy, and that makes sense for all consumers in the overall economy.

Taken together, the energy efficiency provisions of this bill will save an enormous amount of energy and money. The provisions will save consumers and taxpayers billions of dollars in energy bills over the coming decade. These are savings that will make us more competitive in international trade and they are savings that we need to help invest in our economy.

This bill also contains a very aggressive and forward-thinking program to develop alternative-fueled vehicles and get them into the market and onto our roads. This is the second major area I would like to talk about in this bill. We can move away from the tremendous dependence on oil in our auto fleet and our trucking fleet. There are two ways of doing that. One is energy efficiency. That is the so-called CAFE standards which have proved too controversial for this legislation.

Another way of doing it is to push very hard on alternative fuels. This bill creates a market for alternative-fueled vehicles, giving Detroit incentives to produce them and sell them. It requires the Government to act first, to start buying and using vehicles so it provides the first market to build an infrastructure of sales, service, and fueling to make these alternative-fueled vehicles a real option for our economy.

Then it requires businesses to follow on, and to join this market in a well-planned and predictable way.

Why is that important? It is crucial to our energy security because so long as the transportation system on which our economy is so dependent has no alternative to gasoline, we have no alternative than being increasingly vulnerable to the Middle East. It is crucial to our economy because of the size of the transportation fuel market in the United States. We spend roughly \$50 billion a year on auto and truck fuel. Now we are sending most of that money out of the country to pay for imported oil. We could be spending that money right here at home, on domestically produced natural gas and alcohol fuels.

Should we be lining the pockets of Middle East rulers and paying the bill for them to build their military forces? That is pretty silly to do when we can be investing that same money into the U.S. economy and producing jobs and income here.

Lastly, alternative fuels are important to our environment. Every drop of oil that we displace is oil we do not have to bring across the ocean by tanker. Every drop of oil we displace helps clean our air because virtually all the alternative fuels from natural gas vehicles like the one I drive in Colorado, to the alcohol-burning vehicles now being tested by Detroit, to the electric vehicles researchers are working hard to bring off the drawing boards, all of these burn fuel more cleanly than gasoline and diesel-fueled vehicles do. So we are ahead in terms of national security, in terms of the economy, and in terms of the environment.

A third major area that I wanted to discuss today, Mr. President, is natural gas. This bill contains important provisions that will enable America to increase its use of this abundant, clean, domestic resource. Natural gas is abundant in North America.

To provide a sense of how these resources are available, this chart points out that we have 70 percent more gas than oil in terms of energy content—70 percent more gas than oil. In terms of the ratio between how first we are using energy, and our reserves of it, we have 16 years' worth of oil, but 51 years worth of natural gas.

We have a very comfortable future supply of natural gas, our gas reserve figures are very conservative. Today the price of gas is so depressed that there is almost no exploration going on

out there. The minute exploration starts, we can expect these figures to grow as we add in new reserves from tight sands formations, from coal-seam gas, from the Gulf coast, and throughout the Rocky Mountain region.

So we have great reserves now and a very significant potential for finding more. I do not think anybody would make that argument in the area of oil. The easy oil is gone.

We can use natural gas almost every place that we use imported oil; as an industrial boiler fuel, as a power plant fuel, as a fuel to heat our homes and our businesses, and even as a fuel for our cars and trucks. Gas is less polluting than oil, and substituting clean-burning gas for oil helps control air pollution. And natural gas burns more efficiently than other fossil fuels, reducing carbon dioxide emissions and therefore reducing our contribution to global climate change.

Obviously, natural gas is a premium fuel, one that has many advantages. But even with all of these advantages, natural gas costs about half the price of oil at the wellhead and so it also has the potential to cut our Nation's energy bills by tens of billions of dollars per year.

Senator JOHNSTON earlier today used the illustration of delivering natural gas to New York City, for example. It costs less than one-third to deliver the Btu equivalent of natural gas to people in New York City than home heating oil cost them.

Home heating oil is largely imported. It just makes sense for us to be developing pipelines and to be developing a demand structure for our own natural gas coming from here at home rather than burning imported heating oil.

But what are we doing? Unhappily, the trends in this area are going just in the wrong direction. Just as we know we are becoming more and more dependent on oil, just as we know that we have great reserves of natural gas in the United States, we are doing just the opposite of what we should. This chart shows that our consumption of oil has risen while our consumption of natural gas, a domestic fuel, has gone down.

Our energy policy is just the opposite from what it ought to be. It is still dominated by our obsession with oil we are continuing our use of oil rather than using natural gas produced right here at home.

Gas use has gone down, our use of imported oil has gone up; and obviously any logical, thoughtful person says we ought to reverse that trend. That is what we are attempting as well to do in this legislation.

There are a number of very important initiatives in this legislation that will help us increase the use of natural gas. I already mentioned alternative fuels in which natural gas will play an important part.

My own Jeep Cherokee is dual fueled. I run on natural gas in the Denver area, where there are now 13 outlets for distribution of natural gas to cars and trucks. I push the switch when I get out in the country, and I can run on gasoline. It is dual fueled, and it runs the same on one or the other, except when it runs on natural gas it is much cleaner. The engine burns more cleanly, it is better for the engine, and it costs half the amount of oil. It is cheaper. It is the fuel of choice for me. We ought to have more and more vehicles running on natural gas.

In addition to promoting alternative fuels for vehicles, this legislation also provides reform in what is called the Public Utilities Holding Company Act. This will allow new competition in the generation of electric power. If we allow that competition, it is expected to boost a growing market for natural gas as a power plant fuel.

This bill will also provide some real streamlining of the processes by which the Federal Energy Regulatory Commission, FERC, approves new natural gas pipeline construction and new pipeline services, particularly where pipelines are willing to shoulder the financial risks rather than to pass them through to consumers.

We can and should pass this bill, and pass it as well with strengthening amendments. Obviously, there are places where it can be improved. I think it will, when we are finished with it, include significant strengthening on energy conservation.

There are significant issues raised by the bill's provisions on nuclear licensing, and we are going to have to debate those issues.

I believe the bill's program for putting alternative fuels in our transportation network can and should be strengthened. And we need to more directly address the issues of global climate change that we are going to have to face, as uncomfortable as that is for some. The reality of global climate change is no longer if we are going to have global warming but when, where, and how fast. Those are the issues. It is not if, but when, where, and how fast.

I and others will be offering amendments to address these issues. We will have the opportunity to improve this bill. I think we should take that opportunity because I am hopeful that at the end of this process we will have forged a bill that will be a very progressive step forward for our Nation's energy policy.

Mr. President, much attention has been given in the past to the Arctic National Wildlife Refuge. I hope amendments on the Arctic National Wildlife Refuge are not brought up again. We went through that debate in a very bloody fashion before the new year, and I hope that we do not find ourselves engaged in that once more.

I myself would like to see us move ahead on corporate average fuel econ-

omy, or CAFE standards. Like the Arctic National Wildlife Refuge, that has become so contentious that I believe it is wise for us to drop that provision as well.

Those 2 issues are bookends on this legislation we can remove, leaving us with 14 titles of what I think are good energy policy that are going to be made better by some amendments here on the floor. But it is enormously important that we move ahead and move ahead rapidly.

Finally, I would be remiss if I did not thank Senator MITCHELL, and particularly Senator DASCHLE, for all of their work in helping to get us to this point. We had some very bloody and divisive battles in the fall.

We worked very hard in the Energy Committee to create this bill. It was not a perfect bill. It came to the floor. We had our disagreements. It was a very, very tough debate. But we have been able to come back again.

Senator DASCHLE was just invaluable in helping us to do that, bringing people together, listening endlessly to the arcane of a lot of this energy policy, and listening with great patience and great ability in bringing together particularly Senators on our side of the aisle who had very deep differences before, and who now I think are very largely in agreement on how we should proceed.

Mr. President, this is an important piece of legislation for the country. If we are going to be serious about the long-term economic prospects of the United States, it is absolutely imperative that we put in place a strong energy policy; absolutely imperative. We would be delinquent if we did not.

We will not be recognizing the economic problems out across the country today if we do not do this. We will not be recognizing our obligations in the foreign policy area if we do not address our enormous dependence on imported oil. And have new national security concerns defined by the environment. This is an opportunity to move in that direction as well.

I believe this bill is a win-win situation for all Americans. I hope that we proceed tomorrow morning at 10 o'clock to vote to take this bill up and then move expeditiously through it.

I know Members of the House of Representatives under Congressman PHIL SHARP's able leadership are moving legislation on their side as well. I hope we can rapidly get to conference and send to President Bush a very important step in our economic rebirth in the United States and in our transition to the 21st century.

Mr. President, I thank you. I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The senior Senator from Pennsylvania is recognized.

Mr. SPECTER. I thank the Chair.

Mr. President, this is the first occasion where I have had an opportunity to seek recognition from my distinguished colleague from Pennsylvania, Senator WOFFORD. It is a pleasure to see you sitting there, Mr. President.

I just said to my colleague that one of the earliest comments I recollected on the statement of "Mr. President" was that when someone rises and seeks recognition in a full Senate Chamber, and says "Mr. President," at least 40 heads turn around.

I have sought recognition to lend my voice in support of this motion to proceed. I believe that it is very important and in our national interest that we move ahead in consideration of a national energy policy.

My staff and I have been active on this bill in a number of areas, most specifically with respect to conservation. There is no doubt that energy is a matter of overwhelming importance to the United States. Internationally, we confront innumerable problems because of our dependence on Mideast oil. This is a subject which we should address for obvious reasons.

I was somewhat disappointed late last year to see a similar motion to proceed defeated. Whether each Senator may or may not like matters that are within the bill, it seems to this Senator that we at least ought to proceed to consider it. And if at some juncture there is a disinclination to go ahead with the bill, there is ample opportunity to avoid cloture at a later stage. But on the fundamental matter of proceeding, I believe that we ought to move ahead. I intend to vote in favor of the cloture motion so that we can proceed to take up this important subject.

ORDER OF PROCEDURE

Mr. SPECTER. Mr. President, at this juncture, I ask unanimous consent that I may proceed as if in morning business for a period of time not to exceed 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

URGING CONGRESS TO CANCEL RECESSES

Mr. SPECTER. Mr. President, I urge that the Congress stay in session continuously until we have addressed the economic recovery program which has been advocated by the President in the State of the Union speech of last Tuesday, January 28.

I took the floor on the afternoon of Friday, January 31—3 days ago—to urge that we stay in session to address the problems of economic recovery. In the intervening 2 days, I have been back in Pennsylvania, and I have heard a number of comments favorably disposed toward this course of conduct. Whether the Congress agrees with ev-

everything that the President has advocated or not, it is my view that these are issues of overwhelming importance which ought to be addressed, and they ought to be addressed as expeditiously as possible.

This position is consistent with what I urged last November when I took the floor on a number of occasions suggesting that the Congress remain in session in December and in January to tackle the issues of the economic recovery.

I understand that there had been some inclinations on the part of some—many perhaps—to await the President's State of the Union speech. But we are all leaders in this country, each Member of the Senate, elected by the citizens of our States, and each Member of the House, elected by the citizens of their particular district. We have a considerable knowledge on the problems which confront America, and we are in a position to do something about it.

To that end, Senator DOMENICI and I offered in November an important legislative initiative on the use of IRA's 401(k) plans, and Keogh plans. For those who are not familiar with these items, they are retirement plans, or funds that have been set aside in addition to the \$3 trillion set aside for other retirement plans. This category of retirement fund contains about \$800 billion.

Senator DOMENICI and I have proposed that the IRA's be used to a limited extent so that people could withdraw, tax-free and penalty-free, \$10,000, providing that the funds are used for a purchase of a durable good. Similarly, there is legislation pending at the present time creating so-called Super IRA, which would enable the IRA holders to use the funds therein contained for three purposes: first-time home purchases, medical expenses, and college tuition.

That legislation, introduced by Senator BENTSEN, has been pending for about a year and has 74 cosponsors. When Senator DOMENICI and I looked at our economic problems, we came to the conclusion that we could utilize the Super IRA principle and expand that even further and utilize the \$800 billion which is now in IRA's, 401(k) plans, and Keogh plans to stimulate consumer purchasing power.

Currently, someone withdraws funds from one of these plans prematurely, there is a penalty. Our legislation would strike that penalty. Further, our legislation would provide that taxes would not be paid in 1992. The specific bill which we introduced provided for the taxes to be paid over 4 years. Since introducing the bill, an alternative has been suggested that we might pay the tax in 5 years, or give an individual the alternative of putting \$2,000 a year in for each of the 5 years to repay the \$10,000.

The tradeoff is that it would be utilizing money which had been set aside

for savings. Savings are for a rainy day, and we have a veritable cloudburst at the present time. This is one idea which we had proposed in November, and I think it is worthy of consideration as part of an overall package.

These ideas were submitted to the President, and the President did include in his State of the Union speech two expanded uses for IRA's: for first-time home purchases and for medical expenses.

I use this point, Mr. President, only illustratively. President Bush has advocated quite a number of points, for example an investment tax credit, return on the passive rates for real estate, and on other tax credits. I believe this constitutes a good start.

My own preference is to go further. For illustrative purposes, I suggested my IRA proposal.

For those who do not agree with what the President has had to say, let them take the floor and offer amendments and let them offer legislation, but let us proceed to take care of the urgent problems which confront America.

In the weeks between Thanksgiving when we recommend—the day before Thanksgiving and January 21—I spent most of my time traveling in Pennsylvania. I know my colleague, Senator WOFFORD, would agree with me that there is very considerable pain and suffering out there. People have lost jobs, and people are very fearful of the future.

There is a poll which was taken recently showing that 41 percent of the American people are afraid of losing their jobs within the next year. Seventy percent of the American people have talked to neighbors and friends who were fearful of losing their jobs within the next year.

I believe that it is imperative that action be taken in Washington, DC. We now have the framework from the State of the Union speech, and I submit we ought to move ahead.

I think there is a great deal of merit to what Chairman Greenspan said in his testimony before the Congress. He said that our current problems are as much psychological as economical. The statistics of 1991 and 1992 are not as bad as the statistics of 1982. Nonetheless, there is a great feeling of concern.

I paraphrase what Franklin Delano Roosevelt said: All we have to fear is fear itself.

If we have a program which comes forward from the Congress and from the executive branch, and people see they are not the only ones spending their money, there will be more confidence in stimulating consumer purchasing power and moving this country out of our current economic situation.

I do not use the word "crisis," Mr. President. I do not use the word "emergency," Mr. President. But I think it is well known that we have a very serious

problem, and leadership ought to be coming from this Chamber and from the House. Leadership has come from the President.

I believe it is very important that we cancel our February recess, cancel our March recess, and perhaps others as well, in order to allow us to address the issue of an economic recovery. Maybe the Congress will decide to do nothing. Some say the problems will work themselves out. The President has articulated a March 20 date, and I think we ought to seek to meet it.

I do believe if we take a recess from February 7 until February 18, and again from March 6 until March 16, we will not have enough working time to accomplish the important legislation which should come from the Congress.

I thank the Chair and yield the floor. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MITCHELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MITCHELL. Mr. President, I ask unanimous consent that there now be a period for morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ANNUAL REPORT ON UNITED STATES GOVERNMENT ACTIVITIES IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT—PM 103

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies during the calendar year 1990, the second year of my Administration. The report is required by the United Nations Participation Act (Public Law 264, 79th Congress; 22 U.S.C. 287b).

GEORGE BUSH.

THE WHITE HOUSE, February 3, 1992.

ANNUAL REPORT OF THE FEDERAL LABOR RELATIONS AUTHORITY—MESSAGE FROM THE PRESIDENT—PM 104

The PRESIDING OFFICER laid before the Senate the following message from the President of the United

States, together with an accompanying report; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:

In accordance with section 701 of the Civil Service Reform Act of 1978 (Public Law 95-454; 5 U.S.C. 7104(e)), I have the pleasure of transmitting to you the Twelfth Annual Report of the Federal Labor Relations Authority for Fiscal Year 1990.

The report includes information on the cases heard and decisions rendered by the Federal Labor Relations Authority, the General Counsel of the Authority, and the Federal Service Impasses Panel.

GEORGE BUSH.

THE WHITE HOUSE, February 3, 1992.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:09 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1989. An act to authorize appropriations for the National Institute of Standards and Technology and the Technology Administration of the Department of Commerce, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2523. A communication from the Administrator of the Agency for International Development, transmitting, pursuant to law, a report on the quantity of agricultural commodities programmed under Title II of P.L. 480 in fiscal year 1991; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2524. A communication from the Chairman of the Board of Directors of the Panama Canal Commission, transmitting, pursuant to law, a report, including unaudited financial statements, covering the operation of the Panama Canal during fiscal year 1991; to the Committee on Armed Services.

EC-2525. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, notice of a contract award date for the Avenger program; to the Committee on Armed Services.

EC-2526. A communication from the Under Secretary of Defense (Acquisition), transmitting, pursuant to law, the Legislative Environmental Impact Statement for the START Treaty; to the Committee on Armed Services.

EC-2527. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the annual interim report on the Neighborhood Development Demonstration Program; to the Committee on Banking, Housing, and Urban Affairs.

EC-2528. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report with respect to a

transaction involving United States exports to the Kingdom of Morocco; to the Committee on Banking, Housing, and Urban Affairs.

EC-2529. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report on the impact of potential crude-oil spills in the Arctic Ocean on Alaska Natives; to the Committee on Environment and Public Works.

EC-2530. A communication from the Chairman of the Board for International Broadcasting, transmitting, pursuant to law, the annual report of the Board for fiscal year 1991; to the Committee on Foreign Relations.

EC-2531. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the audit of the merged and surplus accounts of the Department of Defense for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2532. A communication from the Comptroller General of the United States, transmitting, pursuant to law, the annual report of the Comptroller General for fiscal year 1991; to the Committee on Governmental Affairs.

EC-2533. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-133 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2534. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-134 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2535. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-135 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2536. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-136 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2537. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-137 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2538. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-138 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2539. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-139 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2540. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-140 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2541. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-141 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2542. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-142 adopted by the Council on Jan-

uary 7, 1992; to the Committee on Governmental Affairs.

EC-2543. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-143 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2544. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 9-144 adopted by the Council on January 7, 1992; to the Committee on Governmental Affairs.

EC-2545. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Managing Federal Information Resources: Ninth Annual Report Under the Paperwork Reduction Act of 1980"; to the Committee on Governmental Affairs.

EC-2546. A communication from the Secretary of Education, transmitting, pursuant to law, final regulations—Federal, State, and Local Partnership for Educational Improvement; to the Committee on Labor and Human Resources.

EC-2547. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the fourth annual report on Department of Veterans Affairs furnishing contract care and services to eligible veterans; to the Committee on Veterans' Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 2178. A bill to establish the Jemez National Recreation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DANFORTH:

S. 2179. A bill to extend the existing suspension of duty for certain small toys, toy jewelry, and novelty goods, and for other purposes; to the Committee on Finance.

By Mr. DOLE:

S.J. Res. 247. Joint resolution designating June 11, 1992, as "National Alcoholism and Drug Abuse Counselors Day"; to the Committee on the Judiciary.

By Mr. CONRAD:

S.J. Res. 248. Joint resolution designating August 7, 1992, as "Battle of Guadalcanal Remembrance Day"; to the Committee on the Judiciary.

By Mr. BREAUX:

S.J. Res. 249. Joint resolution to propose an amendment to the Constitution of the United States to protect the cultural rights of all Americans; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN:

S. 2178. A bill to establish the Jemez National Recreation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

JEMEZ NATIONAL RECREATION AREA ESTABLISHMENT ACT

• Mr. BINGAMAN. Mr. President, I rise today to introduce a bill to authorize

the establishment of the Jemez National Recreation Area in New Mexico. This national recreation area will be managed primarily to conserve, protect, and restore the recreational, cultural, archeological, ecological, scenic, and wildlife resource values within this unique area of the Santa Fe National Forest. A plan for the national recreation area will be developed as an amendment to the Santa Fe National Forest land and resource management plan to assure that this management emphasis will be carried out.

The Jemez National Recreation Area is approximately 100,000 acres in size. It is a place of volcanically formed mountains with beautiful valleys, stands of mixed conifer and deciduous trees, small hidden ponds, and steep canyons ringed with brilliantly colored rimrocks. Within the area is the East Fork of the Jemez River, 11 miles of which has been designated as a national wild and scenic river. The Jemez National Recreation Area will further insure the river's beauty and recreational value. The area also holds an abundance of spectacular prehistoric sites. Geologically, the most striking visual aspect of the Jemez National Recreation Area is the Valle Grande—one of the larger calderas in the world. The broad expanses of valley meadows and mountain grasslands surrounded by forested caldera rim peaks and secondary domes is a truly inspiring view, worthy of protection.

This action will ensure, for the future, the interests of the over 300,000 visitors to the area each year. The Jemez Mountains Area has long been valued by the citizens of Albuquerque, Santa Fe, Los Alamos, Espanola, and the surrounding communities for its exceptional recreational opportunities, the plentiful water and clean air, the numerous hot-springs, the abundant wildlife, and just the sheer beauty of the place. People who visit again and again form special emotional attachments to the area. These are people who enjoy the area for hiking, camping, rock climbing, back packing, fishing, hunting, snowmobiling, swimming, and cross country skiing—in the Jemez Mountains they have the opportunity to do all of this.

With the rapid population growth in Santa Fe and Albuquerque, even greater demands will be made upon the area for these recreational opportunities. Recreational and interpretative facilities and a visitor center will be constructed with minimal impacts on the scenic values and primeval character of the recreation area. Maintenance of both new and existing facilities in the national recreation area will be emphasized from the start.

The Jemez Mountains are one of the richest areas in the Southwest for the evidence of ancient Indian occupation. Human habitation stretches back at least 4,000 years in this area. There

have been major finds nearby at Bandelier National Monument, Jemez Monument, and Puye Cliff. Survey in the area has recorded thousands of sites—from surface scatters of artifacts to large multiroom pueblos. In fact, some of the ruins are much larger than many within the National Park System. Site density is estimated at approximately 15 sites per square mile—there could well be 30,000 sites in the national recreation area. The proposed boundaries include the Virgin Mesa Area, in which are found the most impressive cultural resource sites in the mountains. This bill directs that there will be particular emphasis given to the preservation, stabilization, and protection of these invaluable cultural resources.

Today, to the people of the Jemez Pueblo, this land remains sacred for them as it was for their Towa-speaking ancestors; it contains significant religious sites and shrines. The bill directs the protection of these cultural and religious sites and assures nonexclusive access from time to time by Indian people for traditional cultural and religious purposes. Further, upon request of an Indian tribe, an area may be temporarily closed to the general public in order to protect the privacy of religious and cultural uses in that area. The Governor of the Pueblo of Jemez and chief executive officers of other appropriate Indian tribes in the area will be consulted in these matters during preparation of the national recreation area management plan.

The Jemez National Recreation Area is important habitat for the peregrine falcon, the goshawk, the meadow jumping mouse, the Jemez Mountain salamander, the Mexican spotted owl, and the wood lily—all species on State or Federal listings of endangered or threatened species. Emphasis will be given to the preservation and protection of these wildlife and botanical resources.

The bill will not affect traditional uses—grazing, hunting, and fishing will continue in the area at the request of many local citizens.

Timber sales for personal fuelwood, for vigas and latillas, and for purposes of public safety, wildlife needs, recreation, and administration may continue. The Los Griegos sale, scheduled for fiscal year 1993, is specifically allowed on condition that unevenaged management, including individual tree selection, will be used. Monitoring of this sale as it proceeds and after its completion will provide the Forest Service with valuable information for the planning of future timber sales throughout the Southwest. The methods prescribed for this sale might well be used more and more by the Forest Service in the future for the purposes of protecting threatened and endangered species, assuring biological diversity, and further controlling erosion in our fragile southwestern environment.

The largest elk herd in New Mexico migrates through this area. Hunting and fishing in the area will continue to be permitted; they are important both for subsistence and recreational activities.

Grazing may be permitted within the national recreation area in accordance with regulations; riparian areas will be managed to protect their important resource values.

The bill protects valid existing mineral rights. It does withdraw the area from any further location under the general mining laws, from the operation of mineral and geothermal leasing laws, and from common variety mineral material disposal laws. It requires that any land mined under existing claims be reclaimed to a condition as close as is reasonably possible to its premined state. No patents will be issued for outright ownership of mining claims or locations after May 30, 1991; but anyone claiming to have been deprived of any property right by this may file with the U.S. Claims Court within 1 year of this bill's enactment to seek compensation.

Local support for this bill is high; residents have been enthusiastic in their efforts to preserve the resources of the Jemez Mountains for future enjoyment. The Forest Service also supports the designation of a national recreation area in the general area proposed. Areas like the Jemez Mountains are in need of our committed protection; they must be cherished for the benefit and enjoyment of present and future generations. The legislation I am introducing today will see that this necessary protection and conservation of the Jemez happens.

Mr. President, I ask unanimous consent that the text of the bill be placed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jemez National Recreation Area Establishment Act".

SEC. 2. DEFINITIONS.

As used in this Act:

(1) RECREATION AREA.—The term "recreation area" means the Jemez National Recreation Area established by this Act.

(2) SECRETARY.—Except as otherwise provided in this Act, the term "Secretary" means the Secretary of Agriculture.

SEC. 3. ESTABLISHMENT.

(a) PURPOSE AND ESTABLISHMENT.—In order to conserve, protect, and restore the recreational, ecological, cultural, religious, and wildlife resource values, of the Jemez Mountains, there is established the Jemez National Recreation Area, to be administered by the Secretary of Agriculture.

(b) AREA INCLUDED.—

(1) IN GENERAL.—The recreation area shall be comprised of approximately 100,000 acres of lands and interests in lands within the

Santa Fe National Forest, as generally depicted on the map entitled "Jemez National Recreation Area-Proposed" and dated October, 1991.

(2) MINOR REVISIONS.—The Secretary may from time to time make minor revisions in the boundary of the recreation area to promote management effectiveness and efficiency in furtherance of this Act.

(c) MAP AND DESCRIPTION.—

(1) FILING.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the recreation area with the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs of the House of Representatives.

(2) FORCE AND EFFECT.—The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) PUBLIC INSPECTION.—The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service of the Department of Agriculture.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—

(1) IN GENERAL.—The Secretary shall administer the recreation area—

(A) in accordance with this Act and the laws applicable to lands within the National Forest System; and

(B) in a manner that will further the purposes of the recreation area.

(2) MANAGEMENT.—Management of the natural resources within the recreation area shall be permitted only to the extent that the management is compatible with and does not impair the purposes for which the recreation area is established.

(3) RECREATIONAL ACTIVITIES.—Permissible recreational activities within the recreation area shall include hiking, camping, hunting, fishing, skiing, backpacking, rock climbing, and swimming.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall develop a management plan for the recreation area that—

(A) is an amendment to the Santa Fe National Forest Land and Resource Management Plan;

(B) reflects the establishment of the recreation area; and

(C) conforms to the requirements of this Act.

(2) CONGRESSIONAL INTENT.—Nothing in this Act is intended to require the Secretary to revise the Santa Fe Forest Land and Resource Management Plan pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(c) CULTURAL RESOURCES.—In administering the recreation area, the Secretary shall give particular emphasis to the preservation, stabilization, and protection of cultural resources located within the recreation area in furtherance of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(d) NATIVE AMERICANS.—

(1) PROTECTION OF SITES.—

(A) IN GENERAL.—In recognition of the past use of portions of the recreation area by Indian peoples for traditional cultural and religious purposes, the Secretary shall protect Indian religious and cultural sites and provide occasional access to those sites by Indian peoples for traditional cultural and reli-

gious purposes. The access shall be consistent with the purpose and intent of Public Law 95-341 (42 U.S.C. 1996) (commonly known as the "American Indian Religious Freedom Act").

(B) **TEMPORARY CLOSINGS.**—In accordance with such joint resolution and upon request of an Indian tribe or pueblo, the Secretary may from time to time temporarily close to general public use one or more specific portions of the recreation area in order to protect the privacy of religious activities and cultural uses by Indian peoples. Any closure shall be made so as to affect the smallest practicable area for the minimum period necessary.

(2) **CONSULTATION WITH NATIVE AMERICANS.**—In preparing and implementing management plans for the recreation area, the Secretary shall request that the Governor of the Pueblo of Jemez and the chief executive officers of other appropriate Indian tribes and pueblos make recommendations on methods of—

(A) ensuring access to cultural and religious sites;

(B) enhancing the privacy and continuity of traditional cultural and religious activities in the recreation area; and

(C) protecting traditional cultural and religious sites in the recreation area.

(e) **WILDLIFE RESOURCES.**—In administering the recreation area, the Secretary shall—

(1) give particular emphasis to the conservation and protection of wildlife resources within the recreation area (including species listed as sensitive by the Forest Service); and

(2) comply with applicable Federal and State laws relating to wildlife, including the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(f) **HUNTING.**—

(1) **IN GENERAL.**—Within the recreation area, and subject to paragraphs (2) and (3), the Secretary shall permit hunting and fishing on lands and waters under the jurisdiction of the Secretary in accordance with applicable Federal and State law.

(2) **LIMITATION.**—

(A) **IN GENERAL.**—The Secretary may designate zones where, and establish periods when, hunting and fishing shall not be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment.

(B) **CONSULTATION.**—Except in emergencies, designation by the Secretary under this paragraph shall be put into effect only after consultation with the appropriate State agencies responsible for hunting and fishing activities.

(g) **TIMBER HARVESTING.**—

(1) **IN GENERAL.**—The Secretary may permit timber harvesting in the recreation area for commercial purposes (including vigas, latillas, and the gathering of fuelwood) and for purposes of public safety, recreation, wildlife, and administration, insofar as the harvesting is compatible with the purposes of the recreation area.

(2) **TIMBER SALES UNDER CONTRACT.**—Nothing in this Act is intended to affect timber sales under contract on the date of enactment of this Act.

(3) **LOS GRIEGOS TIMBER SALE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), nothing in this Act is intended to affect the Los Griegos timber sale in the Los Griegos Diversity Unit number 0322, as shown on the West Half Diversity Unit map of the Santa Fe National Forest dated November 1991.

(B) **EXCEPTION.**—The Secretary shall manage the sale using uneven aged management,

including the individual tree selection method.

(h) **GRAZING.**—The Secretary may permit grazing within the recreation area in accordance with regulations prescribed by the Secretary. Riparian areas shall be managed in such a manner as to protect their important resource values.

(i) **TRANSPORTATION PLAN.**—

(1) **IN GENERAL.**—Not later than 1 year after funds are made available to carry out this Act, the Secretary shall prepare a transportation plan that provides for the most efficient use of existing roads and trails to accomplish the purposes of this Act. The plan shall provide for a comprehensive trails system that permits dispersed recreation while minimizing the impact on significant archaeological and religious sites.

(2) **ROADS.**—The Secretary shall construct, maintain, and close roads within the recreation area only in accordance with the plan prepared pursuant to paragraph (1).

(j) **RECREATIONAL FACILITIES.**—The Secretary shall provide for recreational facilities within the recreation area. The facilities shall be constructed so as to minimize impacts on scenic beauty and the natural character of the recreation area.

(k) **VISITOR FACILITIES.**—The Secretary shall establish a visitor center and interpretive facilities in or near the recreation area in order to provide for education relating to the interpretation of the cultural and natural resources of the recreation area.

(l) **POWER TRANSMISSION LINES.**—In accordance with Federal and State law, the Secretary may permit a utility corridor for high power electric transmission lines only if the Secretary determines that—

(1) there is not a feasible alternative for the location of the corridor;

(2) damage to the recreational and scenic quality of the recreation area will not be significant;

(3) it is in the public interest that the corridor be located in the recreation area; and

(4) a plan to minimize harm to the resources of the recreation area has been developed.

(m) **SCIENTIFIC INVESTIGATIONS.**—The Secretary may permit scientific investigations within the recreation area if the Secretary determines that the investigations are in the public interest and are compatible with this Act.

SEC. 5. ACQUISITION OF LANDS.

(a) **STATE LANDS.**—Lands and interests in lands within the boundaries of the recreation area that are owned by the State of New Mexico, or any political subdivision of the State, may be acquired only by donation or exchange.

(b) **OFFERS TO SELL.**—In exercising authority to acquire property under this Act, the Secretary shall give prompt and careful consideration to any offer by a person to sell property within the boundaries of the recreation area.

SEC. 6. MINERALS AND MINING.

(a) **LIMITATION ON PATENT ISSUANCE.**—

(1) **IN GENERAL.**—Effective beginning May 31, 1991, no patent for a location or claim in the recreation area may be issued under the mining laws of the United States.

(2) **CLAIMS FOR PROPERTY RIGHTS.**—Notwithstanding any statute of limitations or similar restriction otherwise applicable and not later than 1 year after the date of enactment of this Act, a party claiming to have been deprived of a property right by the enactment of paragraph (1) may file in the United States Claims Court a claim against the United States seeking compensation for

the property right. The United States Claims Court shall have jurisdiction to render judgment upon the claim in accordance with section 1491 of title 28, United States Code.

(b) **WITHDRAWAL.**—Subject to valid existing rights, lands within the recreation area are withdrawn from location under the general mining laws and from the operation of the mineral leasing, geothermal leasing, and mineral material disposal laws.

(c) **RECLAMATION.**—No mining activity involving any surface disturbance of lands or waters within the recreation area (including disturbance through subsidence) shall be permitted except in accordance with requirements imposed by the Secretary, including requirements for reasonable reclamation of disturbed lands to a visual and hydrological condition as close as practicable to their premining condition.

(d) **MINING CLAIM VALIDITY REVIEW.**—

(1) **EXAMINATION OF CLAIMS.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall undertake and complete an expedited program to examine all unpatented mining claims within the recreation area, including those claims for which a patent application has been filed.

(2) **DETERMINATION OF VALIDITY.**—If the Secretary determines that the elements of a contest are present, the Secretary of the Interior shall immediately determine the validity of the claims. If a claim is determined to be invalid, the Secretary shall promptly declare the claim to be null and void.

(e) **USE OF MINERAL MATERIALS.**—The Secretary may use mineral materials from within the recreation area for public purposes (including the maintenance and construction of roads, trails, and facilities) if the use is compatible with the purposes of the recreation area.

SEC. 7. ADJOINING LANDS.

The Secretary may from time to time evaluate lands adjoining the recreation area for possible inclusion in the recreation area and make recommendations to Congress. Lands evaluated may include that area authorized for study by section 5 of the Baca Location No. 1 Land Acquisition and Study Act of 1990.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. DANFORTH:

S. 2179. A bill to extend the existing suspension of duty for certain small toys, toy jewelry, and novelty goods, and for other purposes; to the Committee on Finance.

EXTENSION OF DUTY SUSPENSION ON CERTAIN SMALL TOYS, TOY JEWELRY, AND NOVELTY GOODS

• Mr. DANFORTH. Mr. President, today I am introducing legislation to extend temporarily the existing suspension of duty for certain small toys, toy jewelry, and novelty goods imported at not more than 8 cents per item. These small toys and novelty items are sold through bulk vending machines found in supermarkets, department stores, theaters, bowling alleys and other retail establishments. There is no longer any domestic industry producing these small toys. However, the American bulk vending industry, which relies on duty-free imports of these goods, employs over 10,000 peo-

ple throughout the United States. I ask unanimous consent that the text of the bill be printed in full in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2179

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SMALL TOYS, TOY JEWELRY, AND NOVELTY GOODS.

(a) IN GENERAL.—Heading 9902.71.13 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking out “5¢” each place it appears and inserting “8¢”, and

(2) by striking out “12/31/92” and inserting “12/31/94”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to goods entered, or withdrawn from warehouse for consumption, after December 31, 1992.●

By Mr. DOLE:

S.J. Res. 247. Joint resolution designating June 11, 1992, as “National Alcoholism and Drug Abuse Counselors Day”; to the Committee on the Judiciary.

NATIONAL ALCOHOLISM AND DRUG ABUSE COUNSELORS DAY

Mr. DOLE. Mr. President, I rise to introduce legislation designating June 11, 1992, as “National Alcoholism and Drug Abuse Counselors Day”. This day will provide us with an opportunity to acknowledge the vital role that alcoholism and drug abuse counselors play in addressing our Nation's alcoholism and drug dependency problem.

I believe everyone would agree that alcoholism and drug dependency are devastating—to individuals, to our communities, and to our country. Not only do those abusing these substances suffer, but their family, friends, and co-workers do as well. Abuse of alcohol and drugs also takes its toll on our Nation as a whole. Lost worker productivity, increased health care costs, and added crime are just some of the ways that Americans are affected by alcoholism and drug abuse every day.

Alcoholism and drug abuse counselors are trained professionals who help people develop an understanding of their problem and its effect on their lives. With the help of these counselors, affected individuals may learn to take responsibility for their actions and begin to look forward to a better future free of alcohol or other substances.

I hope that others will join me and support this legislation, which provides important recognition to a critical component of our fight against alcoholism and drug abuse.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 247

Whereas alcoholism and drug abuse are among the most serious and persistent problems facing our Nation today, affecting every community, whether urban or rural;

Whereas abuse of alcohol and drugs contributes to the dissolution of families, increased crime, death on our streets and highways, and untold suffering both by those who abuse these substances and those with whom they come into contact;

Whereas drug and alcohol abuse by America's workers results in increased costs to our Nation through lost productivity, higher health care costs, and increased risks to co-workers;

Whereas alcoholism and drug abuse counselors are dedicated to helping the millions of people suffering from alcoholism and drug dependence to overcome their problems and live healthy, productive lives free of alcohol or drugs;

Whereas alcoholism and drug abuse counselors help people learn to take responsibility for their actions, to develop better interpersonal skills, and to look forward to a better future; and

Whereas certified alcoholism and drug abuse counselors are skilled professionals who work with other concerned people to form a comprehensive recovery team for affected individuals: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That June 11, 1992, is designated as “National Alcoholism and Drug Abuse Counselors Day”. The President of the United States is authorized and requested to call upon the people of the United States to celebrate the day with appropriate ceremonies and activities.

By Mr. CONRAD:

S.J. Res. 248. Joint resolution designating August 7, 1992, as “Battle of Guadalcanal Remembrance Day”; to the Committee on the Judiciary.

BATTLE OF GUADALCANAL REMEMBRANCE DAY

● Mr. CONRAD. Mr. President, in the coming months, the United States, as part of the 50th anniversary of World War II, and the effort by the Department of Defense to commemorate events of national significance between 1941–45, will pause to honor and remember the heroism and sacrifices of the more than 60,000 Marines, Army, and Naval servicemen who fought major battles on land and sea to defeat the Japanese in the Solomon Islands on Guadalcanal.

On August 7, 1992, the U.S. Marine Corps, at the site of the Iwo Jima Memorial in Washington, DC, will pay tribute to the 5th Marine Regiment and 1st Marine Regiment, the first American servicemen to make successful landings on Guadalcanal. Similar ceremonies to commemorate the successful campaign in the Solomon Islands will be held on August 7 on Guadalcanal Island.

During the month of August, in Devils Lake, ND, members of the North Dakota National Guard, including survivors of the Army 164th Infantry Regiment of the American Division, the first Army units to land on Guadalcanal on October 13, 1942, will gather at

Camp Gilbert C. Grafton, ND, National Guard Training Center, to honor and pay respect to the members of the North Dakota National Guard who participated in, and gave their lives during the grueling 6-month Guadalcanal campaign.

The landings on Guadalcanal Island on August 7, 1942, marked the first American offensive of the Pacific War after the fall of Corregidor in the Philippines, action that was absolutely vital in the Allied effort to force a Japanese retreat from the islands in the Pacific. The campaign to recapture Guadalcanal between August 7, 1942, and February 9, 1943, resulted in some of the bloodiest and most gruesome fighting during World War II. The fighting on Bloody Ridge, around Henderson Field and during the naval battle of Guadalcanal between November 12–15, 1942, portrayed a clear picture of the heroism and supreme sacrifices made by many American servicemen including members of the 164th Infantry Regiment, throughout the Guadalcanal campaign.

During the 6-month campaign beginning August 7, there were more than 9,400 casualties among Army, Navy, and Marine forces on Guadalcanal, including 4,343 killed in action. Among the North Dakota National Guardsmen serving with the 164th Infantry Regiment on Guadalcanal, 147 North Dakotans were killed in action, 309 were wounded, and 133 were listed as non-battle-related casualties between October 13, 1942, and the end of Japanese resistance on the island on February 9, 1943.

Mr. President, as Americans pause to remember the heroism and sacrifices of many individuals who served their country between 1941–45, it is proper and most fitting that we take time to honor those Army, Navy, and Marine servicemen who participated in one of the most significant and costliest military actions of World War II in the Pacific—the landing, and campaign to recapture Guadalcanal between August 7, 1942 and February 9, 1943.

I am deeply honored to be able to recognize the heroism and sacrifices of the members of Army, Navy, and Marines who served in the Guadalcanal campaign in 1942. I am especially privileged to recognize the members of the 164th Infantry Regiment of the North Dakota National Guard who served their country with extraordinary distinction and heroism throughout the Guadalcanal campaign.

In recognition of this distinction, and the landing on Guadalcanal which represents a most significant turning point in World War II in the Pacific, I am today introducing a resolution in the Senate to designate August 7, 1992, as Battle of Guadalcanal Remembrance Day. I ask unanimous consent that the text of this joint resolution be printed in the RECORD at the conclusion of my

remarks. I ask unanimous consent that a diary representing an account of the 164th Infantry Regiment of the North Dakota National Guard, a Guadalcanal from October 13, 1942, through February 23, 1943, be printed in the RECORD following the resolution, and at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S.J. RES. 248

Whereas the Allied forces military campaign in the Solomon Islands of the South Pacific was the first American offensive action of World War II in the Pacific;

Whereas the focus of that campaign was the island of Guadalcanal;

Whereas the American military invasion of Guadalcanal began on August 7, 1942, with the amphibious landing of Major General Alexander A. Vandegrift's 1st Marine Division;

Whereas, on October 13, 1942, the commitment of United States Army ground forces to the Battle of Guadalcanal began with the landing of the 164th Infantry Regiment of the American Division, a unit of the North Dakota Army National Guard, making that Army unit the first to engage in offensive combat action in the Pacific theater during World War II;

Whereas throughout the campaign the United States Navy, particularly the South Pacific Naval Task Force under the command of Vice Admiral William F. Halsey which was the principal naval force during the Naval Battle of Guadalcanal in November of 1942, provided the naval support that was critical to the victory of American forces on Guadalcanal;

Whereas during the 6 month campaign on Guadalcanal there were over 9,000 Army, Marine, and Navy casualties;

Whereas on August 7, 1992, the United States Marine Corps will conduct a ceremony at the Iwo Jima Memorial in Washington, D.C., to commemorate the landing of Marines on Guadalcanal; and

Whereas, as part of its commemoration of the 50th anniversary of World War II, the Department of Defense will recognize the contributions made by all American military personnel during the operations on Guadalcanal: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That August 7, 1992, is designated as "Battle of Guadalcanal Remembrance Day". The President of the United States is authorized and requested to call upon the people of the United States to celebrate the day with appropriate ceremonies and activities.

AN ACCOUNT OF THE 164TH INFANTRY REGIMENT ON GUADALCANAL FROM OCTOBER 7, 1942, THROUGH FEBRUARY 23, 1943

(By Lt. Col. Samuel Baglien)

THE 164TH INFANTRY IN COMBAT FROM OCTOBER 7, 1942

Prior to and on October 7, 1942, the 164th Infantry Regiment was located on the island of New Caledonia. The bivouac areas of the First, Second, Third and Provisional battalions were strategically dispersed near the Tontouta Air Base about 30 miles inland from the island capital city, Noumea.

On September 14, 1942, Colonel Earle R. Sarles had been retired of command of the regiment, having attained his 55th birthday, and Colonel Bryant E. Moore, O-8633, assumed command on that date. It was hard to

see Colonel Sarles leave the regiment as he had been with the regiment since 1905 and was a father to us all.

On October 7, 1942, at 7:00 p.m., the regiment was alerted under orders from Major General Alexander M. Patch, Americal Division, of which division the regiment was a part. Such orders provided that the regiment shall prepare for movement to the Port of Embarkation at Noumea harbor on October 8, 1942. Preparations, lasting all night, began immediately. Arrangements were made to retain a rear echelon consisting of the personnel section, guards, cooks, maintenance, etc., at New Caledonia, with Captain John R. Erickson in command. An attempt was made to contact our Reconnaissance platoon under Lt. Flo. This was unsuccessful as they were in the jungle on the island and were attempting to find a trail route to Thio, which was across the island.

On October 8, 1942, packing and movement was in progress. Advance details and loading crews arrived at Noumea harbor at 10:00 a.m. and began loading equipment and supplies. The regiment cleared all of its areas by 6:30 p.m. The First and Third battalions embarked aboard the USS Zeilin troop transport at 10:00 p.m., and the Second and Provisional battalions embarked aboard the USS McCawley troop transport at 10:00 p.m. Harbor officials complimented the regiment upon its speed of loading the two vessels. Major Timboe received his promotion to Lt. Col. Captains Northridge and Ordahl to Majors.

On October 9, 1942, the two ships took on additional supplies for the First Marine Division that was located at Guadalcanal. This was completed at noon. Colonel Moore, Major Zievor, S4, and Major Ordahl, S3, boarded a Navy transport plane along with Colonel Linscott of the Marines and left on a flight toward our destination, to ascertain arrangements for our landing. Admiral Ghormly, Major General Patch and Major General Harmon boarded the troop transports and inspected the troops, who were complimented for their fine appearance, discipline and excellent condition. The troop transports and convoy cleared the Noumea harbor during the afternoon and headed toward our destination, Guadalcanal Island, Solomon Islands.

October 10 to October 12, 1942, the regiment was at sea. Weather clear, sea calm. Routine duties, and fire and debarkation drills. Mail was passed at sea from a destroyer; this was a very interesting sight and a welcome one. Alerted, but the enemy was not sighted. Lt. Col. Samuel Baglien, Executive Officer, was in full charge of the regiment and the movement was in charge of the U.S. Navy under Rear Admiral Turner. The men during the trip showed no signs of nervousness and welcomed the opportunity to get into combat. Admiral Turner got quite a kick out of the trip, stating: "Imagine taking a bunch of the Army up to reinforce the Marines." To us the trip was a signal honor, as it meant that we would be the first Army Infantry troops in battle since the fall of Bataan. All our unloading details are ready for the landing. Admiral Turner promised me turkey for the boys for Thanksgiving and I also asked him not to forget where we were located when the war was over.

At dawn on October 13, 1942, the regiment arrived at Kukum Beach, Guadalcanal. Debarkation of personnel began immediately. Stations at nets had been previously assigned. The troops carrying ammunition, combat packs, gas masks and arms entered Higgins boats, via nets and were taken

ashore. The First Marine Division, already stationed at Guadalcanal, covered the landing. The debarkation of troops was completed by 7:30 a.m. Details were assigned for unloading supplies and equipment. The supplies were transferred to Higgins boats from the transports and unloaded on the beach and distributed. In the midst of this work, at about noon, a flight of Japanese bombers passed over and bombed the area for a half hour. Corporal Kenneth S. Foubert, Company "M" was killed; the first casualty of the regiment. Two men were injured. The enemy again bombed the area from aircraft from 1:30 p.m. to 4:00 p.m., but there were no further casualties and very little damage. At 6:00 p.m. the area was shelled by enemy artillery located west along the beach toward Point Cruz. The troops sought cover and, although alarmed, maintained order. Pvt. Park E. Jagers, Company "D" was killed. At 11:00 p.m. the regiment began movement toward bivouac areas about two miles east, between Lunga Point, Tenuer River and Henderson Air Field. What a day and what a reception for our first day! The Marines are sure glad we are here and they certainly look like they have gone through "Hell."

Immediately after midnight, 12:10 a.m., October 14, 1942, terrific shelling by enemy naval craft began. "Louie the louse" seems to be directing the fire. Several cruisers and destroyers were lying off Kukum Beach and Lunga Point and shelled the area near Lunga Point and Henderson Field incessantly until 3:30 a.m. The shells were 6-8 and 12, 14 inch with star shells to light up the area over Henderson Field. The troops had no time to dig in, but sought all available cover and maintained good order. Warrant Officer, Bernard E. Starkenberg, O-2105012, was killed; Corporal Rollie Andrick, Hq. Det. Second battalion was killed. Three landing boats containing enemy troops approached Kukum Beach, but withdrew. Many coconut palm trees were cut down, but otherwise damage was negligible. Col. Brookes of the New Zealand army stated this shelling was worse than Crete. I'll never forget our Chaplain Marks after two hours of shelling, straightened up in the corner of the hole and looked us all over and said: "Gentlemen, I've done all I can for you." This broke the tension; we giggled.

At 9:00 a.m. a flight of enemy bombers again passed over and dropped bombs evidently intended for Henderson Field, but most of them landed in bivouac areas causing minor damage to personal equipment, and no casualties. Troops now are well dug in, and have also used dug outs of Marines formerly stationed in areas. Another enemy bombing raid at 10:00 a.m. and another at 12:00 noon—same results. "Pistol Pete" the Jap artillery man came into action. He seems to have quite a long range gun. He certainly knows how to lay on the airport. Went down to the beach, where our supplies were, to visit Company "L" who were left there to guard our stores. One of the men told of sitting on a large pile of rations and when the first Jap naval shells came over the rush of the wind blew him off his perch.

October 15, 1942. The 164th Infantry Regiment is attached to the First Marine Division, who have been at Guadalcanal since August 7. This regiment is the only attached army unit. Major General Vandegrift is the Commanding General of forces on Guadalcanal. Command of a sector passed to this regiment and the First Battalion took up positions on the sector front at the Tenuer River, relieving a battalion of Marines. Enemy aircraft, including bombers and Zero

fighters, bombed and strafed the sector and nearby areas from 11:30 a.m. to 2:00 p.m. Enemy aircraft again bombed the area from 7:30 p.m. to 8:30 p.m. The following enlisted men were killed on October 15: Private Alford C. Halverson, Medical Detachment; Private Steven Zakopayko, Company "E"; Private Amanda Del Fava, Company "B"; Private Glen Midgarden, Company "C". All our rations were turned over to the First Marine Division and we are having a tough time to get our supplies and equipment away from Yellow Beach as rain washed out the bridge.

Members killed in action are being buried at the First Marine Division cemetery. Graves are marked with a green wooden cross as there is no distinctive marking between rank. Chaplains are in attendance at a brief ceremony. A group of captured Japanese laborers dig the graves. A palm branch is placed over each grave.

On October 16, at 12:01 a.m. terrific shelling by enemy Japanese naval craft began and continued until 2:30 a.m. However, the troops were orderly and kept under cover. Captain George R. Newgard, Munitions Officer, was hit by a "dud" and severely wounded and died later. The Second Battalion took up position to the right of the First Battalion, east and south of Henderson Field, relieving a battalion, east and south of Henderson Field, relieving a battalion of Marines at 10:00 a.m. The Third Battalion moved into Division Reserve and prepared for mobility. During the day several alert warnings were given, but enemy planes were intercepted and there were no further bombings. The regimental CP was moved to a well camouflaged area, southwest of the First Battalion positions. Sturdy dug-outs were completed. "Pistol Pete" fired on Henderson Field several times during the day. We relieved the First Marine Regiment under Col. Cates and our own Col. Moore took command of the sector held by our First and Second Battalions.

On October 17, at 1:15 p.m., 20 enemy bombers passed over the area and dropped their loads. Minor damage and no casualties. Many patrols under the direction of Captain Considine are proceeding beyond our front lines, and all reports are negative. Lt. Col. Frisbee of the Seventh Marines on our right called at our CP to coordinate patrol activities. Major General Vandegrift, Colonel Thomas, Chief of Staff and Lt. Col. Twining D-3 of the Marine Division also called during the day.

On October 18, 1942, our front line positions are well dug in, and guns are properly placed. Sector front quiet. At 2:10 p.m. a wave of enemy bombers came over and bombed the area. Another wave bombed at 6:00 p.m. Minor damage and no casualties to our regiment. "Pistol Pete" is working overtime. This is a funny war as I can ride my "Peep" through the sector we are holding in front of our own lines.

On October 19, 1942, patrols still report negative, though some enemy movement is detected by our aircraft. Sector front is quiet. Several bombing alerts but the bombers were intercepted by our air force, which has been doing a superior job. "Louie-the-Louse," the one Jap bomber and his brethren are finding it more difficult to get through. This is a peculiar war, the masters can ponder over this one. We have an airport on our regimental reserve line, the Jap navy hits us in the rear, we fight them to our front, and they bomb Hell out of us from the air and we are holding a little piece of ground roughly, six miles wide and three miles deep. Looks like we are in for a rough time.

On October 20, 1942, enemy bombers bombed the area from 11:00 a.m. to 12:00

noon. No casualties. Enemy artillery now officially known as "Pistol Pete," began usual bombardment at 6:30 p.m. Evidently misplaced somewhere west of Point Cruz, and has his range set for the airfield. A wave of enemy bombers bombed the area at 8:05 p.m. and then returned at 9:05 p.m. and dropped 17 bombs in over "B" Company area. First Lt. Frank G. Welch, 0-363158, Company "B"; Technician Fourth Grade John T. Flowers, Company "B" and Pfc. Marvin P. Quamme, Company "B", were killed instantly. One officer and three enlisted men were wounded. Our patrols are working in fine shape. General Vandegrift and Colonel Thomas called again today.

On October 21, a wave of enemy bombers bombed the area from 11:00 a.m. to 12:00 noon. "Louie-the-Louse" is back. No casualties. "Pistol Pete" tossed shells into the area near Henderson Field from 5:50 to 6:30 p.m. At 7:00 p.m. a bombing raid by enemy aircraft and another at 8:00 p.m. No casualties. We moved our CP today because it was getting a little too hot. We discovered 60 bomb hits and 50 shells had lit in our area since taking over. Our new place doesn't look too good, but it hasn't been discovered.

On October 22, "Pistol Pete" shelled the area at 10 minute intervals throughout the forenoon. At 1:15 p.m. a wave of enemy bombers approached the area, but were intercepted by our Grumman Fighters, and five bombers were shot down. "Pistol Pete" again from 5:00 p.m. to 6:30 p.m. No casualties, but he's getting in our hair. Sector front lines quiet; however, enemy activity and movement is noted. Col. Moore visited Marine Division CP and met Lt. General Holcomb the Marine Commandant.

On October 23, "Pistol Pete" began at 7:30 a.m. and kept shelling at 10 minutes intervals all forenoon. At 11:05 a.m. a wave of enemy bombers came over and dropped their loads in our Third Battalion area, destroying a kitchen, tentage, a few rifles and some equipment. No casualties. The troops have learned to duck. The Marine artillery batteries are out to get "Pistol Pete" and fired at enemy positions constantly from 7:00 p.m. to midnight. Two enemy land thrusts at Marine CPs, south of Henderson Field, were repulsed by the Seventh Marines. First Sergeant Jack T. Simmons; Staff Sergeant Russell J. Opat; Sergeant Bernard A. Deering and Technician Fifth Grade Marvin T. Hanson were commended for meritorious service per Regimental General Orders Number Two, October 23, 1942. I smelled so stinky that I took a bath between bombings; just missed getting caught short.

October 24, 1942. Enemy thrust at Marine position west of the Matanikau was repulsed and nine enemy tanks were destroyed. Enemy patrols are attempting to infiltrate between CPs, and main lines, west and south. From 12:01 a.m. to 7:00 a.m., Marine artillery fired at enemy positions west of the Matanikau River. "Pistol Pete" fired a few shells at the airport, intermittently. Enemy action appearing to be determined land thrust was noted at right flank of Second Battalion, in front of the Seventh Marines, after dark. At 11:40 p.m. the Regimental staff received orders from D-3 to commit Third Battalion to reinforce Seventh Marines immediately.

October 25: The Third Battalion cleared its area at 2:05 a.m. and marched toward the Seventh Marine positions, south of Henderson Field. Upon arrival desperate hand to hand fighting was in progress, and the Third Battalion took up its positions in the face of enemy fire. In some cases hand to hand com-

bat for the possession of foxholes and emplacements occurred. There were skirmishes all along the Third Battalion front and along the right flank of the Second Battalion, but the lines held and the enemy thrusts were repulsed, though there was slight infiltration. At dawn the enemy withdrew and positions were strengthened and coordinated. "Pistol Pete" again active from 8:00 a.m. to 11:00 a.m. Enemy naval craft shelled the area at noon. Enemy Zero fighters have been in the air all day bombing and strafing, but in the resultant dog fights our Grummans shot down many of them and dispersed them. Grumman pilots are adept at luring Zeros within deadly range of our anti-aircraft guns. Several bombing alerts, but our air force intercepted the bombers and dispersed them, shooting down several bombers and Zeros. Enemy artillery again shelled the area at 8:15 p.m. At nightfall the enemy began another determined land thrust at the Seventh Marine positions on our right flank and at our Third and Second Battalion positions, and vicious fighting was in progress. The enemy assaulted the positions repeatedly in great numbers, but the lines are holding. There is some sniper activity. Private John J. Flynn, Company "E" and Private Ira A. Woodell, Company "M" were killed in action. Several wounded, but casualties are comparatively light.

October 26: From midnight until dawn the enemy hurled wave after wave of infantry supported by mortar and machine gun at our Third Battalion lines, but every thrust was repulsed with tremendous loss to the enemy. Our troops stuck to positions with bulldog tenacity, and even hand to hand fighting did not dislodge them. Our Third Battalion positions are in the midst of dense jungle. There was some infiltration. The regimental reserve consisting of only about 175 troops from Headquarters and Service Company was committed to the south border of the airport, in the event of a break through, but was recalled at 9:30 a.m. No enemy air activity during the day—"Pistol Pete" is quiet. Men killed in action: Corporal Louis Lochner, Company "G"; Second Lt. Ralph M. Kamman, Company "G"; Private John B. Muir, Company "G"; Corporal Melvin Busche, Company "G"; Private Robert D. Newman, Company "G"; Private Harvey E. Hubbard, Company "E"; Pfc. John W. McClure, Medical Detachment; Pfc. George E. Kudrna, Company "K"; Private Weldon D. Spease, Company "K"; Corporal Jack F. Leithold, Company "K"; Pfc. Harvey Brewster, Company "K"; Second Lt. Arvid Grasvik, Company "L"; Private Joseph Sperl, Company "L"; Private Carl W. Edwards, Company "L"; Pfc. Arnold B. Nelson, Company "L"; Pfc. Palmer G. Foss, Company "L"; Private Lonnie L. Sistrunk, Company "L"; Pfc. Gerald E. Coffey, Company "M"; Pfc. Dale N. Coppens, Company "M". The boys are going great, it certainly does a fellow good to see how the M-1 rifle can pile up the "Nips".

October 27: From midnight to dawn the enemy again hurled its strength at our Third Battalion and right flank of our Second Battalion lines, but each thrust was repulsed with heavy losses to the enemy. At 4:00 a.m. enemy bombers bombed the area with slight damage, and no casualties resulting. During the day several enemy aircraft waves were intercepted and dispersed with losses to the enemy. Snipers who had infiltrated were active, but caused little damage. Patrols located most of the snipers and destroyed them. They were well camouflaged and hid themselves in the upper branches of high

trees, making it difficult to locate them. The carnage of enemy dead piled in front of our lines is creating an unhealthful situation. Burying details are organized and burial is begun. Over 1,700 enemy dead in front of our front alone, and probably many more further back in the jungle. Impossible to estimate enemy wounded. Our troops are near exhaustion, but morale is high. Men killed in action: Second Lt. Sidney S. Linscott, Company "K"; Second Lt. George H. Cummings, Company "A" and Private Howard O. Noland, Company "I".

October 28: Quiet. Enemy appears to have withdrawn to lick its wounds and plan new strategy. Snipers are still an active nuisance. An attempted enemy air assault was drive off at 4:00 a.m. by AA fire. Burial of enemy dead continues. The men received their first hot meal today; they sure were hungry. During the battles they did not each much, perhaps because of the excitement.

October 29: Snipers less active. Patrols encounter very light activity. Burial of enemy dead continues. Souvenir hunters are becoming a nuisance. So orders are issued controlling this situation. Almost every soldier and marine on the island had a souvenir of some sort.

October 30: Burial of enemy dead completed. Most snipers now cleared out. Two of our prisoners admit tremendous enemy losses, shortage of stores and supplies, and low morale. Very little activity. "Pistol Pete" is quite. Made a special trip for Col. Moore with a message to Lt. Col. Hall, the Third Battalion commander. This trip was a tough one after dark, didn't think I'd make it, as it was through the jungle. Got shot at a couple of times and caught Hell from my own men for wandering around after dark.

October 31: Quiet on all sector fronts. Activity of snipers has ceased. No bombing alerts. The following men received Regimental commendation per Regimental General Order Number Three: Staff Sergeant William S. Bachellor, Company "M"; Pfc. James Sullivan, Company "I"; Pfc. Stanley W. Anda, Company "L"; Pfc. Francis H. Lauder, Company "M". Our patrolling is heavy and we are going deeper every day.

The following message was received October 29, 1942, from Commanding Officer, First Marines to Commanding Officer, 164th Infantry:

"Subject: Congratulations: The Officers and men of the First Marines salute you for a most wonderful piece of work on the nights of 25 and 26 October 1942. Will you please extend our sincere congratulations to all concerned. We are honored to serve with a unit such as yours. Little did we realize when we turned over our "quiet sector" to you that you would bear the brunt of an attack so soon. I'm sure you are very proud of the fighting ability demonstrated by your unit and our hat is off to you.

C. B. CATES."

The following commendation bulletin, (Division Bulletin, 4a-42) was issued by Headquarters, First Marine Division, Major General A. A. Vandegrift:

"The Commanding General commends the Third Battalion, 164th Infantry, U.S. Army, for the effectiveness of its operations against the enemy on 24, 25, and 26 October, 1942. The First Marine Battalion, Seventh Marines, occupying a defensive sector of a width of 2,500 yards situated to the south of the positions of the First Marine Division on Lunga Point, Guadalcanal, British Solomon Islands, having been attacked by a numerically superior enemy force at about 1000, 23 October 1942, the Third Battalion, 164th Infantry, then in

regimental reserve was ordered to reinforce the line. Moving by a forced march at night through rain, over difficult and unfamiliar terrain, it arrived in time to prevent a serious penetration of the position, and by reinforcing the First Battalion, Seventh Marines throughout its sector, made possible the repulse of continuous enemy attacks throughout the night. The following day, having been assigned to the left half of the sector formerly occupied by the First Battalion, Seventh Marines, the Third Battalion, 164th Infantry so occupied and prepared the position that when the main effort of another enemy attack was directed at it on the nights of 24 and 25 October, 1942, it was able to hold the position without serious loss to its own personnel, although heavy casualties were inflicted upon the enemy forces. The First Division is proud to have serving with it another unit which has stood the test of battle and demonstrated an overwhelming superiority over the enemy."

The following radio dispatch from The Commander-in-Chief U.S. Fleet, was received from Honolulu, October 31, 1942:

"Stories of your successful land operations have thrilled us all. Express my appreciation to your Marines in the front lines, and to your soldiers for the way they have backed up and reestablished the lines by their counter attacks. We feel that you have formed a team which will be more than a match for the enemy."

November 1 and 2: Eight enemy snipers were located and killed. Reconnaissance patrols went out 2,500 yards beyond our lines, and report negative. Regimental received orders from Commanding General, First Marine Division, to move forward to a new sector west of the Matanikau River and proceed by military operation and maneuver to an objective four miles further west.

November 3: Enemy artillery shelled sector at 7:00 a.m. No casualties. The First Battalion cleared its area at 6:30 a.m. and marched toward the Matanikau in column of twos and reached the river in the afternoon and proceeded west, being attached to Fifth Marines in reserve. Later that day the First Battalion moved further on being attached to the Second Marines. During the morning about 3000 Japs landed at Koli Point, east of our sector. Two Battalions of Seventh Marines intercepted them. Our Second and Third Battalions received orders to proceed toward Koli Point for a flank attack.

On November 4, 1942, our Second and Third Battalions cleared their areas at 6:30 a.m. and proceeded toward Koli Point. Terrain is dense, steam-heated jungle, and progress is slow requiring tremendous effort of all men. Necessary to cut lanes in many places. Our navy shelled enemy positions at Koli Point at 10:00 a.m. Our Second and Third Battalions and Headquarters reached a point three miles south of Koli Point at Malimbau River. Our navy and artillery shelled enemy positions at Koli Point at 10:00 p.m.

November 5: The First Battalion has taken up front line positions about four miles west of the Matanikau River, beyond Point Cruz. Now attached to Second Marine Regiment. Sergeant Raymond G. Holzworth, Company "H", killed in action; Private George H. Dohm, Company "A", killed in action. A combat reconnaissance patrol of Company "B", was ambushed by enemy Jap machine gun fire, west of Point Cruz. The following men were killed, and their bodies not recovered due to enemy occupation, although several attempts were made: Pfc. Carl L. Hjelm, Medical Detachment; Private Sherman R. Olson, Company "B"; Private Gerhard P.

Mokros, Company "B"; Pfc. Stanley J. Ziska, Company "B"; Sergeant Herbert W. Langord, Company "B"; Staff Sergeant Robert C. Cross, Company "B"; Sergeant Raymond W. Johnson, Company "B". The following men were killed attempting to aid the Patrol: Second Lt. James L. McCreary, Company "B"; Staff Sergeant Arthur W. Jones, Company "B".

Our Second and Third Battalions crossed the Malimbau River with great difficulty. The current is very swift and transfer of supplies to amphibian tanks is necessary.

At 12:00 noon 17 enemy bombers passed over section, but were intercepted. Five were shot down by AA guns, and several more by fighters. They dropped six personnel bombs in our abandoned Second and Third Battalion area. No casualties. Patrols in jungle are meeting enemy machine gun resistance.

November 6: Second and Third Battalions and Headquarters proceeded to Koli Point along east side of Malimbau River. Main body of enemy has evidently moved inland to the mountains. Enemy machine guns and patrols are encountered. First Battalion front quiet. The following men were killed in action: Private Clifford R. Bird, Company "F"; Pfc. Harvey Yokum, Company "E"; Pfc. Paul A. Roy, Company "E"; Sergeant Albert J. Osman, Company "L". Yokum and Osman buried in the field.

On November 7, 1942, at 10:45 a.m. a Japanese submarine entered the open harbor at Lunga Point and torpedoed a cargo ship. Nearby destroyers immediately circled the area and dropped depth charges. The explosion of these charges can be felt by earth vibration for several miles. The Navy reported that the enemy submarine was destroyed. Our Second and Third Battalions have now reached Koli Point and are preparing to move toward an objective further east. Enemy machine guns were encountered.

The Third Battalion and special units were withdrawn from the Koli Point movement, and the Second Battalion continued on this movement as attached to the Seventh Marine Regiment.

On November 8 and 9, our Regimental CP was set up west of the Lunga River; Third Battalion in Division Reserve. The First Battalion as part of the Second Marines has begun a drive west.

On November 10, 1942, the Second Battalion is still committed to the Seventh Marines. The following men were killed in action: Pvt. Alois N. Georges, Company "G"; Sergeant Clyde G. Morgan, Company "F"; Pvt. Gerald Hall, Company "F"; Pvt. Joseph A. Miller, Company "E".

At 10:00 a.m. on November 11, 51 enemy planes came over in two waves, and dropped their loads near the airfield. Our air force went up after them and shot down 16 enemy planes. Our losses: Six Grummans. I had a good seat on the bombing show as I got caught off shore in a Higgins boat, and saw three Jap bombers go down in the ocean. It was a grand sight although our own Ack Ack fire lit all around us. No damage or casualties from the bombing. Our August and September mail started coming in. The First Battalion was relieved of duty at Point Cruz, and returned to Regimental bivouac area for a well earned rest.

On November 12, the Second Battalion was relieved from further duty at Koli Point and returned to the Regimental bivouac area for a well earned rest. 116 enlisted men and 21 officers reported for duty from New Caledonia. Most of the officers are recent Officer's Candidate School graduates. At 11:00 a.m. a large enemy air raid. Our air force shot down 24

enemy planes. Our loss was two planes, both pilots bailing out to safety. It was a field day for the air force. Two battalions of Infantry, one battalion of Artillery, two companies of Engineers and some Medical personnel arrived today. It is the first army troops to arrive since we landed.

All forces west of Kukum have been drawn in to closer perimeter defense, due to expectation of a large enemy invasion force from the sea. On November 13, this defense was completed. Enemy naval fire at airfield from 2:00 a.m. to 3:00 a.m. Minor damage.

November 14, quiet. November 15, an enemy air raid at 11:30 a.m. No damage or casualties. The enemy naval ships shelled the area from 7:00 p.m. to 8:30 p.m. Minor damage; no casualties. These ships are evidently the vanguard of a larger force, now engaged in a tremendous sea battle nearby with our own navy. First Lt. Granville E. Clark, killed in action. This is the big Jap M Day as they are trying to land 40,000 troops to reinforce their troops on Guadalcanal. Hope they don't land.

The dull booming of naval guns can be heard in the distance, and our OPs can see giant flashes at sea.

On November 16 and 17 our sector is quiet. The tremendous naval engagement which began on November 13, and was fought off the northeast coast of this island, resulted in a decisive victory by our Navy. This was a savage battle in which our air force also engaged, and the prize was the possession of the southern Solomons. The victory was a smashing one. The Japanese lost 23 warships destroyed and seven damaged. Among the ships destroyed were two battleships; three heavy cruisers; two light cruisers; five destroyers and eight transports loaded with Japs. It is estimated that more than 24,000 Japanese soldiers from the transports were drowned or killed. Four cargo ships were beached on Guadalcanal near the Kokumbona, and our land forces had a target practice picnic destroying them with artillery and aerial bombing.

This Japanese invasion force had been concentrated. With the two battleships acting as a spearhead it arrived at the Guadalcanal area on November 13 intending to bombard our positions. The force was intercepted in the Guadalcanal Area, and a savage fight at close range developed. During the furious night battle the Japs became confused and some of their groups were firing at each other. The wounded Jap armada retreated to the north, but on November 14 in the afternoon they picked up 12 transports and some more warships and again headed for Guadalcanal intent on invasion. The morning of November 15 our land positions on Guadalcanal were bombarded as a preliminary to putting troops ashore. However, the attempt was smashed by our air force, and our naval force again engaged the armada and defeated it. Eight P-38s came in today (our first). You could hear cheering all over the island.

On November 18 our Second Battalion was committed to defensive positions near the Matanikau River; First and Third Battalions followed on November 19. On November 20 defensive positions at Point Cruz west of the Matanikau were taken up by our regiment. Prize story for the day. Harry the Horse called Mc up and said: "I have two Jap prisoners, shall I shoot them?"

A slow advance toward objective further west is begun. The enemy is laying down heavy mortar and machine gun fire. They are well dug in and concealed. Due to the terrain of jungle and ridges and the terrific heat, it is very difficult to get supplies, am-

munition and water to our troops. They are taxed to exhaustion. Coordinated artillery, air and mortar fire does not dislodge the enemy. They have dug-in in the coral and in draws and are quite secure. Any exposure of our troops draws accurate enemy fire. Casualties are fairly heavy. This situation continues on November 23 and 24. Advance is stopped, and positions are consolidated. Men must live on "C" and "D" rations and coffee, as movements draw heavy and accurate enemy mortar fire. Enemy light artillery appears to have been silenced by our air and artillery support. Snipers are active. Our planes continue to bomb and strafe enemy positions with unknown results. Our Third Battalion has suffered heavy casualties by artillery and mortar fire. Many exhaustion and sickness ineffectuals. The following men were killed in action on this movement to date: Cpl. Raymond J. O'Connell, Company "M", November 20; Pvt. Mardel D. Vernholt, Company "M", November 20; Pvt. Richard H. Czaplewski, Company "D", November 21; Pfc. Alfred H. Mahlstedt, Company "M", November 21; Sgt. Jack E. Geiger, Company "A", November 21; Pvt. Harold Zerface, Company "A", November 21; Pfc. Renes F. Hitchcock, Company "B", November 21; Second Lt. Carl E. Vettel, November 21; S/Sgt. Robert J. Burckhardt, Company "A", November 21; Pvt. Louis E. Kmiecik, Company "A", November 21; Pfc. Wendell A. Paulson, Company "I", November 21; Pvt. Lewis E. Knight, Company "M", November 21; Pfc. Christian E. Montgomery, Company "I", November 21; Second Lt. George R. Derham, Company "A", November 21; Sgt. Llewellyn M. Hamery, Company "A", November 21; Pvt. Bernard L. Barholz, Company "A", November 21; Pfc. Robert D. Jenkins, Company "A", November 21; First Sgt. Virgil A. Lane, Company "L", November 21; Second Lt. Kermit C. Sloulin, Company "I", November 21; Pfc. Walter B. Montgomery, Company "I", November 21; Pfc. Wenceslaus J. Novotny, Company "I", November 21; Pfc. Joseph F. Kelly, Company "I", November 21; Cpl. Lewis D. Dibbert, Company "I", November 21; Pvt. Tony A. Simuneci, Company "A", November 22; Pvt. Frank L. Arnold, Company "I", November 22; Pfc. Selmar Garness, Medical Detachment, November 22; Pvt. Wenzel A. Picha, Company "D", November 22; Pfc. Gould E. Gray, Company "A", November 22; Pvt. Elton L. Pederson, Company "K", November 22; Pvt. Marion Vanderwerff, Company "K", November 22; Pfc. Raymond E. Moore, Company "K", November 22; S/Sgt. Pat G. Reilly, Company "A", November 22; Cpl. Richard C. Myers, Company "A", November 22; Pfc. John R. Weigel, Company "A", November 22; Pvt. Emery F. Gess, Company "A", November 22; Cpl. Hermann C. Diede, Company "K", November 23; Second Lt. Albert F. Whitney, Company "I", November 23; Capt. Andrew H. Panettiere, MC, November 23; First Lt. Hallard D. Albertson, Headquarters Det. Third Battalion, November 23; Cpl. Wilbur E. Kohnke, Company "I", November 23; Second Lt. Charles E. Grytness, Company "I", November 23; Second Lt. Rilie R. Morgan, Jr., Company "K", November 23; First Lt. William K. Pflugrath, Company "K", November 23; Winifred B. Fischer, Company "K", November 23; Pvt. John J. Brucker, Company "K", November 23; Pvt. Charles H. Stimmel, Headquarters Company, November 23; Pfc. Adrian M. Ness, Company "I", November 23; Pfc. Steve Lopez, Company "I", November 23; Pfc. Arnold G. Rahja, Company "I", November 23; Pvt. Joseph Shuster, Company "I", November 23; Pfc. William J. Clewitt,

Company "I", November 23; Pfc. Harold M. Poppen, Company "I", November 23; Pfc. Olard W. Boucher, Company "D", November 23; Second Lt. W. J. Hall, Company "M", November 23.

On November 25, the enemy is still maintaining a well dug-in defense in depth. Our artillery and mortars are dislodging some of them. Our patrols are active and destroying some positions, but there are replaced during the night. Our combat strength is below 2,000. We have several hundred ineffectuals due to malaria, dysentery, shell-shock, hysteria and minor wounds. We feel the loss of Capt. Panettiere, our brave medical officer. The Division hospital is congested, so we are treating many cases in our rear area. I am still worn out from yesterday's scrap. The Nips located our CP today with their mortars, wounding three men. Looks like I've got to hunt a new hole.

On November 26, an enemy air raid dropped 20 bombs; some casualties to marines. Our artillery and mortars continue to bombard the enemy and our patrols are active. The following men were killed in action: Pfc. Alfred J. Bottke, Company "A", November 25; Pvt. John F. Sloss, Company "A", November 25; Pvt. Willard J. Coulter, Company "B", November 25; Cpl. Willard P. Dowsett, Company "E", November 25; Pvt. Harold W. Childers, Company "F", November 26; Pfc. Hans M. Odegard, Company "F", November 26; Pfc. Leslie C. Huffstutler, Company "E", November 26; Pvt. Kalervo Hallila, Headquarters First Battalion, November 26; Cpl. Joseph W. Armstrong, Company "D", November 25.

At 3:30 a.m. on November 27, an enemy air raid. No casualties. Our artillery and mortars continued to batter the enemy. They are replacing weakened positions rapidly, but they are weakening generally and there is not much likelihood of a counter-attack. Lt. Col. Hall, Third Battalion commander, was wounded and evacuated. Capt. Ralph Knott was wounded and evacuated. Sent our Anti Tank Company in to relieve Company "A". It was our only reserve.

Another enemy air raid at 3:30 a.m. on November 28. At 6:30 a.m. an enemy sub torpedoed the U.S.S. Alcheba at Lunga Lagoon. The ship was beached to avoid capsizing. The cargo and crew were saved. Capt. Hedstrom, Lt. Preston and 14 enlisted men of this regiment were aboard at the time of the explosion, but there uninjured. The front line activity is limited to artillery and patrols. The following man was killed in action: Pvt. Bernhart W. Boe, Company "F". First Lt. John A. Crawford died at the hospital at New Hebrides where he had been evacuated, wounded, several days ago.

On November 29 at 3:00 a.m. another air raid; no casualties. Our continuous bombardment of enemy positions has caused some withdrawal. They are attempting to strengthen their positions. Coordinated artillery and mortar fire at enemy positions went on all afternoon. Our patrols are active. The enemy continues to fire mortars at our positions, effectively. The following man was killed in action: Pvt. William T. Goracke, Company "C". We got together a makeshift Battalion to relieve the Second Battalion of the Eighth Marines. Capt. Crook is commanding our makeshift Battalion.

At 4:00 a.m. November 30 another enemy air raid. No casualties. Our 81 MM mortars destroyed an enemy Anti-tank gun and emplacement. Mortars on both sides continue. The following men were killed in action: Pfc. Melvin C. Feiring, Company "K"; Pvt. Francis E. Black, Company "D"; First Lt.

William Grayson, Anti-tank Company; Sergeant Reuben Herr, Company "A"; S/Sgt. Lester A. Ashbacher, Company "K". We are killing and destroying Jap positions daily. It is hard grubbing, but we will get them out.

December 1, 1942: Came down with malaria diagnosed as moderate-severe. I am to take six quinine and three atabrine a day for three days. Then three quinine and three atabrine a day for four days. Major Yancey told me to stay in the CP for a couple of days. Lt. Flo reported back from his patrol trip across the island. He worked his way behind the Jap lines after landing at Beaufort Bay. He had 12 men from our regiment with him. His report was extremely interesting.

[Secret]

REPORT ON CAPTURED LETTER, DECEMBER 5, 1942

I. This letter was written as a last testament by Lance Corporal (Heicho) KOTO Kiyoshi to his elder brother, KOTO, Kisaku, in Niigata, Japan. The sender's address is given as YU 1302, SATO unit which may be taken to be the SATO Battalion of the 16th Infantry. The letter is marked December 1st at 5:10, front line, Guadalcanal. The bearer was killed about midnight of the same day in front of the A.T. Company, 164th Infantry. According to the letter he participated in a general attack on November 25, was grazed by an artillery shell fragment the 26th, and then entered the Second Field Hospital. His wound was well by December 1, but the fragment in his arm impeded his handwriting. He was being sent back to the front lines the day of the letter. There being no food, he was going forward to fight without having eaten. Quotation follows:

"Every day there is bombing by enemy aeroplanes, naval gunfire and artillery fire. No sign of friendly planes or of our navy appears. The transports haven't come yet either. I have not eaten properly since the 24th of November; many days I have had nothing to eat at all. From tonight on indefinitely, again without expecting to return alive, I am going out resolutely to the front line. Even though I am holding my rifle with a right arm that doesn't move easily, etc., now is the time for me to dominate a military contest. I must serve as long as I can move at all.

"The regimental commander (Colonel Hiroyasu, 16th Infantry) died in battle. The battalion commanders are all either wounded or dead. My own company commander is dead. Two of the platoon commanders have been wounded, one of them entered the hospital for medical treatment and was with me there. In our company NCOs are acting as platoon commanders and privates as squad leaders. At present my company has come (down) to a total of only thirty men. Of the soldiers in my squad three were killed, four wounded, and at present four in good health are doing hard fighting. As I too am soon to leave for the front lines I should like to see their cheerful faces. The platoon leader, convalescing and almost up, said, 'Go to it!'"

*** (Here greetings to the various members of the family.) *** In conclusion, I am writing this as a farewell letter.

To My older brother,

KOTO KIYOSHI,
Army lance-corporal.

December 6, 1942: First Battalion patrols killed seven Japs. Second Battalion patrol spotted 30 Japs and directed MG and Mortar fire on them. 27 Japs were killed.

Third Battalion scored hits on Jap MG emplacements located by their patrol. A Jap

diary reveals enemy are not getting reinforcements or supplies.

First Lt. Flo appointed regimental S-2. Our ineffectuals from dysentery and war neuroses in the rear area are reduced to a minimum.

The following men were killed in action today: Corporal Willard P. Dowsett, Company "E" and Pfc. Dale Utrecht, Company "G".

* * * * *

December 8, 1942: We had large patrol activities in all Battalion sectors and cleaned out three Jap MG nests.

S/Sgt George H. Fritz of Company "B" was killed in action today. I was in the line when they brought him through. He was leading a patrol. It's tough to lose good men.

December 9, 1942: Five Jap 77 MM artillery shells into our CP. One man, Pfc. Matt J. Doworshak, was killed. He was attached to headquarters Company. Major General Patch of our American Division assumed command of the Cactus Ringbolt Area. Major General Vandergrift, First Marine Division Commander is leaving. He is truly a wonderful leader and I will always see his calm smiling countenance ready to give you a pat on the back, a word of encouragement when the ships were down. He told me that he wished he could take the 164th Infantry with him when he left the island with his division.

December 10, 1942: Very quiet. We are using artillery well placed on all forms of Jap activity including known Jap bivouac area, supply routes and spotted artillery emplacements. Our men are getting pretty pooped out. Patrols are only good for about three hours at a time and they come back all in. Our best hours against the Nips is from 0600 until 1000. They are pretty loggy during those hours as they work like beavers all night.

December 11, 1942: I went over to Col. Arthur, C.O. Second Marine regiment to arrange for the relief of our 164th. Brig. Gen. Rupertis, who is in command of the perimeter defense had charge of the meeting. It was decided that the relief would be accomplished in six days commencing December 12. Col. Moore did not like the set up as it would take too long; however, there were not enough troops at either place to handle the relief in one set up.

Sergeant Paul B. Rockstad of Company "E" was killed in action today.

December 12, 1942: Third Battalion relieved of its positions west of the Matanikau by the First Battalion, Eighth Marines. The Third Battalion of the 164th moved into a staging area. First and Second battalions of the 164th confined their activities to patrols.

The following men were killed in action today: Pfc. William F. Courtney of Company "B" and Pfc. Lawrence D. Thieling of Company "A".

December 13, 1942: Third Battalion, 164th moved into perimeter defense west of the Lunga, and relieved the Second Battalion, Eighth Marines under Lt. Col. Cook.

First and Second Battalions, 164th maintained contact with the enemy with patrols. Jap planes dropped 15 bombs in the vicinity of Henderson Field.

December 14, 1942: First Battalion, 164th was relieved by the Second Battalion, Eighth Marines on the line west of the Matanikau. Our First Battalion moved into staging area.

Second Battalion, 164th sent out one patrol and worked over Jap positions. Third Battalion, 164th, confined their activities to strengthening the perimeter line and sent out two small patrols. I took over the Eighth Marines CP at the Lunga River bridge and

worked out details with Lt. Col. Reisler, Executive Officer of the Eighth Marines. Colonel Moore took command of the sector at 1300.

December 15, 1942: First Battalion, 164th, relieved the Third Battalion, Eighth Marines on the perimeter line. This gave us the First Battalion, Seventh Marines on our left across the Lunga river and the Second Battalion, 182nd Infantry on our right.

Third Battalion sent out two patrols. Our regimental CP is located on the Lunga—good swimming.

December 16, 1942: Second battalion, 164th, relieved by the Third Battalion, Eighth Marines. Our Second Battalion went into perimeter reserve in the palms known as the Fifth Marine area. This completes our activity in the Fourth Battle of the Matanikau. We suffered quite a few casualties and were in action 28 days without relief. The health of the men is not good as they are run down from lack of good wholesome food and the strain of 28 days in action has taken something out of them. They need a damn good rest.

First Battalion and Third Battalion had their usual patrol activities.

December 27, 1942: No word from the "G" Company patrol. Other Patrols negative. Radio must be out.

December 28, 1942: Captain Meline returned just before dark. He managed to get through with one of the tractors. The patrol located the Jap trail. Meline was assigned to take over the Third Battalion because Captain Cook was sent to the hospital with arthritis.

December 29, 1942: Major Ordahl took a group of officers out to check the Matanikau positions. Meline came down with Malaria. Captain Gosset assumed command of the Third Battalion. Company "C" patrol returned. They had invaluable information—they had located the Jap trail and destroyed one Jap field piece. The mystery of the route used by the Japs in their attack on Henderson Field October 25, 26 and 27 was finally solved. No wonder Marine patrols could not discover the Japs at that time.

December 30, 1942: Lt. Col. Hall returned from the hospital at Suva. He is quite well again from his wounds.

Had a meeting with Company "E"; they are to go up to the Lunga with the next patrol. Plenty of rain the past week has made the roads terrible.

December 31, 1942: Line for the end of the year: First, and Third Battalions on the perimeter defense west of the Lunga; Second Battalion in perimeter reserve; Service Company located near the Marine cemetery. Here is the box score on casualties and miscellaneous information since our landing on October 13, 1942: 63 air raids, these are raids where bombs actually fell in our areas. This total does not include all the alerts. 137 men and officers killed in action. 308 men and officers wounded in action. 393 men and officers evacuated. 13 men and officers missing in action.

January 1, 1943: Colonel Moore, our regimental commander, was made A.D.C. of the Americal Division, Lt. Col. Paul Daly from Southport, Conn. was given command of our regiment.

January 2, 1943: Two air raids during the night. Daly was made a full Colonel. Decoration ceremony at the First Battalion today. Colonel Moore made the awards. There were five silver stars given out.

January 3, 1943: Third Battalion decoration ceremony today and Colonel Moore pinned one silver star; one soldiers medal and three purple hearts.

I bid goodbye to Brig. Gen. Rupertis and Lt. Col. Frisbee of the Seventh Marines

today. Our gang will sure miss the First Marine Division. They are grand guys and great fighters.

January 4, 1943: The rear echelon under Captain Erickson came in by ship from New Caledonia. They are glad to get back with the regiment and I do hope the bombings will not be too hard on them.

Our patrols have only run across a few scattered Japs in the jungle.

January 5, 1943: Second Battalion decoration ceremony and three silver stars and two purple hearts were awarded. Usual patrol activities.

January 6, 7, 8, 9, 1943: Usual routine with patrols and positions unchanged. First and Third Battalions on the line with the Second Battalion stationed in the coconuts as perimeter reserve. Brig. Gen. Sebree is the perimeter commander now.

January 10, 1943: Company "C", 164th Infantry under Captain Mjogdalen returned from patrol of Grassy Knoll (Mt. Austin).

The Matanikau battle started in full swing again with the Second Marine Division along the coastal plain and the 25th Division under Major General Collins on the left striking along the ridges. These ridges curve toward the ocean near Kokumbona. This is the first time we have ever had enough troops together for a real push. They are using 200 natives from Malaita to hand carry for the 25th Division. It looks like it will be curtains for the Nips on Guadalcanal.

January 11, 1943: One air raid today. No casualties. Third Battalion relieved by our Second Battalion. The Third Battalion is suffering from Malaria and will move down to the beach at Kokum, where they will constitute the perimeter reserve. Rains are heavy and roads are poor.

January 12, 1943: Company "I", 164th Infantry, under First Lt. Steckler left on the regular five day patrol up the Lunga river. The Jap east-west trail back of Mt. Austin must be continually watched to prevent the Japs from coming wide during the offensive west of the Matanikau. We furnished 650 men for unloading ships at the beach.

January 13, 1943: One air raid; no casualties. Usual routine patrol activities. Continuous rains and our labor details are heavy.

January 14, 1943: Captain Meline and myself visited the front and conferred with Colonel Jeske, Lt. Colonel Reisler and Lt. Colonel Frikke of the Eighth Marines.

Eight men, including two officers were killed during an air raid tonight. Two men were also wounded. Those killed are as follows: S/Sgt. Robert J. Turner of Company "K"; Second Lt. Clarence L. Bonderud of Company "K"; Pfc. Troy T. Gustafson of Company "K"; Corporal Arthur O. Johnson of Company "K"; Pfc. Fred J. Reid of Company "K"; Private Manuel D. Cuen of Company "K"; Second Lt. Raymond W. Baesler of Company "A" and Pfc. Coral L. Hoagenson of Company "E".

January 15, 1943: Two air raids during the night. The Nips came in without warning. The "dirty cows" as Colonel Matheson of the Australian Army used to call them. Received an order placing me on the Division Promotion Board.

January 16, 1943: Four air raids. The Nips are trying to relieve the pressure of the Matanikau offensive. Usual routine patrol activities. Malaria is hitting us heavy.

January 17, 1943: One air raid. No casualties. Major Ordahl, Smith and myself went up to Koli Point with the view of taking over that sector from the 147th Infantry under Colonel Tuttle. This unit is going into combat for the first time and of course we came in for a lot of questions about battle.

January 18, 1943: Went over our list of officers to be sent back to the United States on the rotation of officers letter from the War Department. Don't know what will come of this directive.

January 19, 1943: Usual "Cactus Express" tried to get in again. This express consists of four or more Japanese destroyers that generally try to get in during the dark of the moon, and land Jap reinforcements and supplies. Visited the Matanikau front again. Boy, what a tough nut to crack. The Japs are well dug in, but the old softening up process the 164th Infantry and the Eighth Marines gave them is starting to show results. Latest scuttlebutt, "the 164 Infantry is to be relieved off Guadalcanal after the Second and Eighth Marines leave."

January 20, 1943: We moved off the perimeter defense west of the Lunga River and went into XIV Corps defense. Our new location is on the beach in which is called Tenerau Block Number four. This is the location where the Marines made their initial landing and drove southwest to capture Henderson Field. It rained all day and HOW! One air raid today.

January 21, 1943: We got our command post set up today. Colonel Daly decorated 21 soldiers at a ceremony held in the Third Battalion area. Secretary of Navy, Knox; Admirals Nimitz and Halsey are here today. Our regiment furnished a protective force for them when they visited the front. The Japs sure must know they are here today as we have had five air raids. One of them lasted 7½ hours.

January 22, 1943: Received a flock of mail today. Lots of ships in and we are furnishing unloading details of five to six hundred men daily. The Nips are on the run and it sure looks like Kokumbona will be taken. The 164th Infantry and the Eighth Marines certainly softened the Nips up for the drive along the coast. Plenty of Naval stuff around and it looks like something doing. We had three air raids during the night.

January 23, 1943: We are making plans for our regiment to make a landing in rear of the Japs lines. We had four air raids during the night and the enemy dropped a considerable number of bombs.

January 24, 1943: Colonel Daly, Lt. Colonels Hall, Richards, Northridge, and myself boarded the Navy destroyer Long in order to make a coast reconnaissance behind the Jap lines for a possible landing for the regiment. We followed along the coast at pistol range (2500 yards) and lambasted the shore line on anything that looked like Jap positions or activity. We went all the way up to Cape Esperance and back, used up 400 shells. It was a lot of fun and the skipper gave us a good meal. Made tentative plans for a landing at Tasafronga. One air raid during the night.

January 25, 1943: 78 Jap airplanes (40 Zeros and 38 bombers) tried to get in between Savo Island and Lunga Point. They were driven back and our air force knocked down five Zeros. Still toying with the landing idea.

January 26, 1943: Four air raids between 0300 and 0500. 46 bombs were dropped. Company "C" under Captain Mjogdalen was alerted today to get ready to take over Savo Island. Savo is about eight miles off Cape Esperance and has been the scene of many a bloody Naval battle. We are still planning for our landing against the Nips.

26 January 1943: Memorandum: 1. The magnificent, aggressive, and sustained efforts of our ground forces, with the able assistance of accurate supporting fires from the air and sea, have completely demoralized, disorga-

nized and scattered our enemy. Sickness and a lack of food variety have added to his distress.

2. The time has arrived, and I therefore call upon all members of this command to effect the kill through aggressive and untiring offensive action.

A.M. PATCH,

Major General, U.S. Army Commanding.

January 27, 1943: Japs put in a daylight raid and the score was nine Jap planes against five of ours. Company "C" is all set for their jaunt. Our old regimental commander, Colonel Moore, left for the states today. He was made a Brigadier General and will be assistant Division Commander of the 104th Division at Camp Adair, Oregon.

January 28, 1943: Company "C" left at 1000 on a tank lighter for Savo Island. Hope they don't run into too much opposition. They had ten day's rations and five units of fire along. Colonel Jeske of the Eighth Marines called today to wish me goodbye. It sure makes me feel bad to see some of the old Marine friends leave. We had three air raids during the night; one Jap bomber was shot down at Savo and four Zeros were reported down at Beaufort Bay.

January 29, 1943: Company "C" reported by radio from Savo. Everything was all right and so far no enemy encountered. Colonel Daly and Major Meline went to the front west of Kokumbona. I spent a quiet day reading. We had two air and one submarine raid today. Tonight we had chicken for supper and did it taste good.

January 30, 1943: Company "B", 164th Infantry, relieved the Second Battalion of the 132nd Infantry on the defensive line east of the Lunga river. Colonel Butler of the Engineers called to say goodbye. His home is in Duluth and he is to report in to San Francisco. Our forces are still advancing west of Kokumbona.

January 31, 1943: Lt. General Harmon was here today. Our forces are advancing rapidly along the coast. Almost looks like it's about over. We had three raids early this morning.

February 1, 1943: We had three air raids between 2130 last night and 0400 this morning. Report this morning a Jap force consisting of four aircraft carriers, 8 battleships, 15 cruisers, 24 destroyers and 60 transports are on their way down. Let them come, we're here to stay. The regiment received orders to set up the beach defense in the Koli Point area. We struggled all night getting into position.

February 2, 1943: Two air raids during the night. I sure prayed on one raid as the road to Koli Point was jammed with artillery vehicles mired down with part of the 25th Division Artillery which was moving up to reinforce our position. Major Smith and I got caught in the traffic snarl looking for part of Regimental Headquarters Company. Luckily the bombs hit about half a mile away.

The Third Battalion is in position from the Ilu to the Malimbau river. The second Battalion is being held in reserve with the First Battalion held temporarily inside the perimeter.

Yesterday we received our first replacements from the States consisting of six officers and forty one enlisted men. The sad part of the replacements was the fact that we evacuated forty one men.

Our score to date—150 killed in action or died of wounds. 360 wounded in action and 853 evacuated since October 13, 1942.

February 3, 1943: We had two air raids during the early morning hours before dawn. It was fun watching our ack-ack fire at them. Five searchlight batteries played the sky.

One Zero must have been held in one set of beams for twenty minutes while the ack-ack patted the plane. He was up so high they could not reach him, but several times the concussion from the bursting fire turned his plane completely around.

The Third Battalion is wiring the beach up. The men are working like Trojans getting set for the probable Jap invasion force.

February 4, 1943: routine defense work. Went over to the Ninth Marine defense battalion to go over plans on the placing of our Second Battalion in that area. They are located on the east side of the Malimbau river and have part beach defense and also airport defense in that area. Met Lt. Colonel Scheyer, Battalion Commander and his Executive Officer, Lt. Colonel Thompson. Thompson went to school with our Captain Newgard.

February 5, 1943: Routine beach defense, continually improving the set up with double apron wire. No further news of the Jap force. Some seem to think that the Japs are evacuating the Island.

February 6, 1943: We are now attached to the 25th Infantry Division under Major General Collins. The 35th Infantry will occupy an area along the beach from the east branch of the Lunga river to the Illu river and tie up with our third Battalion. This gives us a good beach defense from the Lunga to the Malimbau river.

February 7, 1943: We moved our Second Battalion across the Malimbau river to occupy the beach from Tagoma Point to the Metapona river. We are now in good position for any Jap attack on the North Beach of Guadalcanal. It is good to get the men on the beaches as I notice that after a week in the sea breeze our malaria rate is cut down considerably. Received a letter from Captain McGurran, our adjutant. He is in the hospital at the Fiji Islands.

February 8, 1943: Today I'm busy moving the Regimental Command Post across the Malimbau and will occupy the old CP that the Americal Division Peep Reconnaissance Battalion had. It sure doesn't take much to move as all we carry is what we have on our backs, plus communications. I'm getting to think that a war can be run from your hip pocket.

February 9, 1943: Our First Battalion moved up and were placed in reserve in the Koli Point area. The roads are terrible. The 132nd Infantry is coming up from the other side of the Island. Met elements from the 161st Infantry at Cape Esperance. That looks like the windup of the battle of Guadalcanal. Everybody hopes that the news is true.

February 10, 1943: The new night was terrific. General Patch officially confirmed it this morning. How happy us poor devils are. We have lived through 120 days of Hell.

February 11, 1943: Won 25 dollars playing poker. It was our first poker on Guadalcanal during the evening as lights have been taboo since we landed on the Island.

February 12, 1943: One man from Company "M" was wounded by a mortar shell fragment. They were testing our various ranges.

12 February 1943: General orders No. 33. 1. The order that all members of this command may know that higher headquarters understand and appreciate your accomplishments on Guadalcanal the substance of the following radiograms is published:

From General Harmon (COMGENSOPAC): "All forces, Army, Marines, and Navy have given us all pride in splendid and rapid advance against Jap forces and then final elimination from Guadalcanal."

"No one doubts the capacity of our forces to consistently whip the Jap in offensive action. We look forward with confidence."

From Admiral Halsey (COMSOPAC): "Thanks and Congratulations."

From General Marshall (Chief of Staff, United States Army): "Other messages of congratulation have emphasized the excellence American Forces on CACTUS, congratulations on splendid successes. They fill us with confidence in the future."

2. To all members of our forces. I therefore express my gratitude for the efforts and sacrifices made which have achieved the victory and merited these expressions from the higher command.

A.M. PATCH,

Major General, U.S. Army Commanding.

February 13, 1943: Has our first meeting of a Board of Officers to conduct examinations for Second Lieutenants. Colonel Demuth of the Artillery is president, Major Sheldon of the 132nd Infantry is secretary and Major Dolbeare, 182nd Infantry, Major Collins of the Medical Corps and myself made up the rest of the Board. We have 150 candidates to examine.

February 14, 1943: We moved the regiment today and have a bivouac area on top of the hills overlooking the Matanikau river. This place is called Skyline Drive and will help the boys get rid of their Malaria bugs, as there is always a good breeze up there. Our board met again today.

February 15, 1943: The battalions are all settled on Skyline Drive. We have a beautiful ocean view and can see Point Cruz and much of our old Matanikau battle ground. Rumor has it that Lt. Colonels Hall, Richards and I are going back to the States.

February 16, 1943: Our Candidate Board met this afternoon and examined 16 officer candidates. The scuttlebutt is running strong, some say the regiment is going back to New Caledonia; others the Fijis and as for the regiment itself, it would like to go to New Zealand. They deserve to get back to civilization as it's been almost a year since they were in Australia.

February 17, 1943: Major Schatz, Captain Yancey and Lt. Flo went over to Suva to visit Company "C". A couple of the men over there are sick. Mail came in today.

February 18, 19 and 20, 1943: Usual routine—Board meetings. The Sixth Marines have left the Island. Mail arrived during this period and everybody is happy. We also drew our pay. It was the first pay in four months. All the money in the world and nothing to spend it on. What crap games!!!!

February 12, 22 and 23, 1943: Upon return from church on the Skyline, orders were waiting for Lt. Colonels Hall, Richards and myself to return home. The news provoked strong emotions—though mixed. Was Providence intervening or had our job been done? Leaving the old Regiment after 23 years was a hard task. But from a tropical Hell to an American home was a most happy transition—outweighing all other factors.

Preparations to depart by air were hurriedly, yet thoughtfully, made. What articles should go and what ones should remain? My first thought was the old Jap rifle, taken from a dead Nip's fist and stained by his own blood. Other items, all suggestive of the strife of battle, found a place.

Packing completed, the two Colonels and I called to pay final respects to Brig. General Sebree, who pleasantly told us that our services would be rewarded. Needless to say, that eased the strain of departure—and tomorrow was the day.

Sleepless from anticipation. I arose early and started to Henderson Field, being driven by faithful old Slat, who for two years had never failed in the careful performance of

this duty. Telling Slat "goodbye" and leaving him behind, hurt me acutely. His heart was very human.

Boarding the DC 3 was all that remained to be done, and with characteristic army dispatch that was accomplished. We took to the air and as if by spiritual control our plane droned low over the First Marine Cemetery before pursuing its course. Casting my tear-moist eyes below, there are present in my mind the picture of the old Regiment in open box formation about the cemetery. The Chaplain at the altar, and each man, upon the playing of taps, solemnly eager to break among the crosses in search of the final resting place of this pal and hero, there to kneel in manly reverence. My heart could stand no greater strain. My soul, linked with the souls of the dead below, resolved anew that "there shall be no rest until every Jap is obliterated from the Pacific." Then, as over her deep blue water we flew away, a merciful fog enshrouded our brave dead.●

By Mr. BREAU:

S.J. Res. 249. Joint resolution to propose an amendment to the Constitution of the United States to protect the cultural rights of all Americans; to the Committee on the Judiciary.

CONSTITUTIONAL AMENDMENT TO PROTECT THE CULTURAL RIGHTS OF ALL AMERICANS

● Mr. BREAU. Mr. President, today, I am reintroducing a joint resolution proposing a constitutional amendment that would recognize the right of all Americans to the preservation of their individual cultural traditions. I am again asking the Congress to consider the value of explicitly recognizing and protecting interests in the cultural pluralism that exists throughout our country.

As I noted when I introduced this amendment in the 101st Congress, this country is great because in practice we generally accept our cultural diversity. The general acceptance of cultural diversity, however, is from time to time, confronted with efforts to eliminate or curtail certain language or cultural practices.

As are many of my colleagues in the Senate and the House with respect to their various cultural heritages, I am proud of my Acadian or Cajun heritage. The diversity of cultural origins represented in this Congress, Mr. President, broadens the institution's perspective, and is an important factor contributing to the success of the American system of government.

My home State of Louisiana has properly elevated the importance of cultural heritage. The people of Louisiana have a fundamental right to preserve their cultural heritage. Louisiana's State Constitution prohibits discrimination on the basis of culture, and recognizes "the right of people to preserve, foster, and promote their respective historic, linguistic, and cultural origins." I strongly support this approach and present it here today, Mr. President, for consideration in the U.S. Congress.

America leads the world in its commitment to the principle of individual

freedom. Assuring constitutional protection of opportunities for individual linguistic and cultural development will further strengthen our adherence to the principle of individual freedom.

Mr. President, to the extent that we eliminate potential for suppression on the basis of language and culture we also strengthen America's ability to lead in world affairs. Americans of African culture, Chinese culture, French culture, Italian culture, Korean culture, Indian culture, German culture, native American culture, Japanese culture, and many others, are vital links to our understanding and ability to work effectively in helping to resolve critical world issues. America's cultural diversity, Mr. President, is a major asset undergirding successful participation in international affairs.

I present this joint resolution to my colleagues for their consideration, and hopefully their support. Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD as follows:

S.J. RES. 249

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE—

"SECTION 1. The right of the people to preserve, foster, and promote their respective historic, linguistic, and cultural origins shall not be violated. No person shall be denied the equal protection of the laws because of culture or language.

"SECTION 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article."•

ADDITIONAL COSPONSORS

S. 709

At the request of Mr. HATCH, the name of the Senator from Vermont [Mr. JEFFORDS] was added as a cosponsor of S. 709, a bill to amend the Internal Revenue Code to allow a deduction for qualified adoption expenses, and for other purposes.

S. 1537

At the request of Mr. BROWN, the name of the Senator from California [Mr. CRANSTON] was added as a cosponsor of S. 1537, a bill to amend the National Trails System Act to designate the American Discovery Trail for study to determine the feasibility and desirability of its designation as a national trail.

S. 1755

At the request of Mr. BUMPERS, the name of the Senator from Massachusetts [Mr. KERRY] was added as a co-

sponsor of S. 1755, a bill to reform the concessions policies of the National Park Service, and for other purposes.

S. 1851

At the request of Mr. ROCKEFELLER, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1851, a bill to provide for a Management Corps that would provide the expertise of United States businesses to the Republics of the Soviet Union and the Baltic States.

S. 1872

At the request of Mr. BENTSEN, the names of the Senator from New York [Mr. MOYNIHAN], the Senator from Oklahoma [Mr. BOREN], the Senator from South Dakota [Mr. PRESSLER], the Senator from Hawaii [Mr. INOUE], the Senator from North Carolina [Mr. SANFORD], the Senator from Florida [Mr. GRAHAM], the Senator from Washington [Mr. GORTON], the Senator from Connecticut [Mr. DODD], the Senator from New Mexico [Mr. BINGAMAN], and the Senator from Indiana [Mr. COATS] were added as cosponsors of S. 1872, a bill to provide for improvements in access and affordability of health insurance coverage through small employer health insurance reform, for improvements in the portability of health insurance, and for health care cost containment, and for other purposes.

S. 2089

At the request of Mr. NICKLES, the names of the Senator from Indiana [Mr. COATS], the Senator from Kansas [Mrs. KASSEBAUM], and the Senator from California [Mr. SEYMOUR] were added as cosponsors of S. 2089, a bill to repeal exemptions from civil rights and labor laws for Members of Congress.

SENATE JOINT RESOLUTION 214

At the request of Mr. RIEGLE, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Joint Resolution 214, a joint resolution to designate May 16, 1992, as "National Awareness Week for Life-Saving Techniques."

SENATE JOINT RESOLUTION 222

At the request of Mr. DASCHLE, the names of the Senator from Arizona [Mr. DECONCINI], the Senator from California [Mr. CRANSTON], the Senator from California [Mr. SEYMOUR], the Senator from Illinois [Mr. DIXON], the Senator from Mississippi [Mr. COCHRAN], the Senator from Nevada [Mr. REID], the Senator from Oregon [Mr. PACKWOOD], the Senator from Alaska [Mr. STEVENS], the Senator from Connecticut [Mr. DODD], the Senator from Minnesota [Mr. DURENBERGER], the Senator from Montana [Mr. BAUCUS], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Idaho [Mr. CRAIG], the Senator from Tennessee [Mr. GORE], and the Senator from Montana [Mr. BURNS] were added as cosponsors of Senate Joint Resolution 222, a joint resolution to designate 1992 as the "Year of Reconciliation Between American Indians and non-Indians."

SENATE JOINT RESOLUTION 228

At the request of Mr. D'AMATO, the names of the Senator from Ohio [Mr. GLENN], and the Senator from Utah [Mr. HATCH] were added as cosponsors of Senate Joint Resolution 228, a joint resolution to designate the week beginning February 23, 1992, as "National Manufacturing Week."

SENATE JOINT RESOLUTION 244

At the request of Mr. SIMPSON, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of Senate Joint Resolution 244, a joint resolution to recognize and honor the National Conference of Commissioners on Uniform State Laws on its Centennial for its contribution to a strong federal system of government.

SENATE RESOLUTION 249

At the request of Mr. D'AMATO, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Massachusetts [Mr. KERRY], the Senator from New Jersey [Mr. BRADLEY], and the Senator from South Carolina [Mr. HOLLINGS] were added as cosponsors of Senate Resolution 249, a resolution expressing the sense of the Senate that the United States should seek a final and conclusive account of the whereabouts and definitive fate of Raoul Wallenberg.

AMENDMENTS SUBMITTED

NATIONAL ENERGY SECURITY ACT

GORTON AMENDMENT NO. 1525

(Ordered to lie on the table.)

Mr. GORTON submitted an amendment to the bill (S. 2166) to reduce the Nation's dependence on imported oil, to provide for the energy security of the Nation, and for other purposes, as follows:

On page 315, line 13, insert ", the State of Washington" after "California".

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. JOHNSTON. Mr. President, I would like to announce for my colleagues and the public a postponement pertaining to an upcoming hearing before the Committee on Energy and Natural Resources.

The hearing scheduled on Wednesday, February 5, 1992, has been postponed indefinitely.

The purpose of the hearing was to receive testimony from the Department of Energy and the Federal Energy Regulatory Commission regarding two of the Commission's pending natural gas rulemakings: First, the notice of proposed rulemaking [NOPR] regarding pipeline service obligations in docket No. RM91-11-000, the so-called Mega

NOPR; and, second, order No. 555 concerning revisions to regulations governing authorizations for the construction of natural gas pipeline facilities.

For further information, please contact Don Santa of the committee staff at 202/224-4820.

Mr. President, the full committee hearing scheduled on Thursday, February 6, concerning the Hawaiian Homes Commission Act has been moved from SD-628 to SH-216.

For further information, please call Pat Temple at 4-4756.

ADDITIONAL STATEMENTS

GUNSMOKE '91

• Mr. DECONCINI. Mr. President, I would like to congratulate the members of Luke Air Force Reserve's 944th Tactical Fighter Group in Arizona, for their outstanding performance in "Gunsmoke '91." Many refer to this event as the Fighter Olympics, and I am proud to announce that in these Olympics the men and women of the 944th placed second in the competition, scoring 8,415 points out of a possible 8,800.

Special congratulations go to 1st Lt. Scott Wilkey for placing the best F-16 performance among the five other units, and taking home the coveted Top Gun Award in the F-16 category. Also deserving of special praise are Maj. Mike Clemovitz, and S. Sgt. Jerry L. Rose, for placing first in high altitude dive bombing, and top crew chief respectively. The 944th TFW also won the Best Aircraft Appearance Award.

Competitors in the event included representatives from the Tactical Air Command, U.S. Air Force in Europe, Pacific Air Force, Air National Guard, and the Air Force Reserve.

I ask that the article entitled, "Gunsmoke '91, Reserve Smokes Competition," from the December 1991 edition of Citizen Airman be printed in the RECORD at this point.

RESERVE SMOKES COMPETITION

(By TSgt. Janie C. Blaney)

The Nevada sun at Nellis Air Force Base, Las Vegas beat ruthlessly down on the heads and shoulders of tight knots of men and women gathered around the monumental scoreboard. Tension-riddled groups stood silently as officials posted the final results of competition scores. More than a week of intense flying, maintenance, and weapons loading was over. The crowd shuffled and waited impatiently.

Then, wordless cheers and hoarse screams from the winners and low groans from losers rose to a crescendo.

Lt. Col. Roger Disrud, a 47-year-old Air Force Reservist from Richards-Gebaur AFB, Mo., flying the A-10 had won the coveted "Top Gun" trophy for Gunsmoke '91 during the Oct. 6-19 competition.

Disrud, 442nd Tactical Fighter Wing pilot, who flew F-100s during Vietnam, grabbed the victory by racking up 2,203 points from a possible 2,250 by flying his tank killer low

and slow and coming in for bullseye bombing accuracy.

Lt. Col. Ronald Ball, an A-10 pilot assigned to the 175th Air National Guard TFW from Maryland garnered 2,202 points and 1st Lt. Scott Wilkey, representing the Reserve's 944th Tactical Fighter Group at Luke AFB, Ariz., placed third flying the F-16 and earning 2,173 points. Wilkey recorded the best F-16 performance against five other F-16 units to take Top Gun in the F-16 category and placed third in the 200-foot level bombing event. His team mate, Maj. Mike Clemovitz took first in high altitude dive bombing and second in 200-foot level dive bombing.

Maj. Milt Miller, 944th team captain, took third in the navigation/attack category and Maj. Robert Tarter, 442nd TFW was first in dive bombing and strafing.

In Overall competition, the 175th TFG Guard unit at Baltimore, Md., placed first scoring 8,524 points from a possible 8,800, flying the A-10 Thunderbolt II. Second place was grabbed by the 944th TFG, which piled up 8,415 points, and third went to the 388th Fighter Wing (active duty) at Hill AFB, Utah.

The Best Maintenance award went to the 121st TFG, Ohio ANG, operating A-7s, with the 944th TFG taking second. Third place went to the 432nd FW, Misawa AB, Japan.

Taking home the Top Crew Chief award was S. Sgt. Jerry L. Rose, F-16 crew chief from the 944th. Luke also swept the Best Aircraft Appearance award.

The 422nd TFW weapons loading team did the best job of hanging and turning bombs, earning the top slot in the Best Weapons Loading competition with 2,990 points from a possible 3,000. Myrtle Beach's 354th FW took second and the 121 TFW Guard unit from Kirtland AFB, N.M., went home with third.

Gunsmoke '91, the "Fighter Olympics," drew units from Tactical Air Command, U.S. Air Forces in Europe, Pacific Air Forces, Air National Guard and the Air Force Reserve to compete against each other.

The biennial event started off with a bang when all the teams arrived within 14 seconds of their scheduled time and never faltered. A total of 645 people competed in events ranging from basic weapons delivery, navigation/attack, dive bombing and weapons loading to best aircraft appearance.

The awards banquet was held at Caesars Palace's Colosseum Complex to help celebrate the victorious and console the losers. •

YUGOSLAVIA

• Mr. D'AMATO. Mr. President, on November 7, 1991, Senator PRESSLER and I introduced legislation calling on the President to grant formal diplomatic recognition to those areas of Yugoslavia that have made a formal declaration of independence. The events of the past 2 months have only strengthened my conviction that it is time for the United States to come to grips with the fact that no group in Yugoslavia is willing to live under the thumb of Serbian domination. Slobodan Milosovic has pursued a dream of a greater Serbia at the expense of the lives of thousands of innocent civilians. It is time to recognize as independent nations Slovenia, Croatia, Macedonia, Bosnia-Herzegovina, and Kosovo. I urge my colleagues to join me in cosponsoring this legislation in

order to press the State Department into action, and also to lift the unfair nationwide, United States-imposed sanctions against the individual former Yugoslav republics. Sanctions only harm the victimized republics like Croatia, Slovenia, Kosovo, Bosnia-Herzegovina, and Macedonia.

In addition, Mr. President, I would like to call to my colleagues' attention the unique opportunity the Republic of Macedonia has to set an example for the multiethnic states of Eastern Europe. Macedonia has a large Albanian minority. As it constitutes its new government, it has the opportunity to demonstrate that democracy can work in Eastern Europe by respecting the political rights of its large Albanian minority. After my meeting yesterday with Macedonian President Kiro Gligorov, I am convinced that he is committed to democracy in his republic.

Such an action will establish a sound foundation for the future and demonstrate to the newly emerging democracies in Eastern Europe that multiethnic democracies can work. •

RALPH DREES NAMED 1991 BUILDER OF THE YEAR

• Mr. FORD. Mr. President, today as we stand in this Senate Chamber addressing issues of concern important to each of us and the States we represent, I want to take a few moments to commend fellow Kentuckian, Ralph Drees.

Known to take raw pieces of land throughout the northern Kentucky and Cincinnati region and develop it, he has been named "1991 Builder of the Year" by Professional Builder & Remodeler.

This award dates back to 1966 and has since recognized annually the achievements of one builder nationwide. The Builder of the Year Award searches out a company or individual that delivers the right product for the right price; one that maintains its profitability and growth.

Although the award is 26 years old, 1991 marks only the 25th time it has been given. No award was given back in 1982 due to an exceptionally bad year for the industry.

It is this that makes Drees outshine others by a long shot. It says a lot that this award was given in 1991—a year when the recession was as bad if not worse than in 1982.

His record of community service is long, going back to the 1960's when every morning children who lived in the undeveloped area on the south side of Erlanger, KY, would board Drees' Volkswagen bus for their ride to school and board it again afterwards for their ride back home. Without Drees, the children would have had to walk to school since no busing system had been established.

This once undeveloped area of Erlanger soon became a community all

its own. Drees installed the sewer and water lines, he built the streets and the homes. And until a busing system was implemented completely, he continued, for 3 years, to transport children to school as another incentive for prospective home buyers to settle in his newly developed subdivision.

This is typical of Mr. Drees—a man who time and again has made the community and its needs his first priority.

It is no wonder that Drees is commonly referred to as the "Good Neighbor Builder." He has made himself a trademark—a builder who focuses on building the type of homes that fits the buyers' needs.

He started as a single family home builder, developing five houses a year, and has grown into a community developer of homes, apartments, attached townhouses, office buildings, and commercial centers in the northern Kentucky and greater Cincinnati areas, and most recently, Dallas, TX.

I applaud Ralph Drees in his extreme efforts and accomplishments. It seems that whenever he reaches a peak in his incredibly successful career, he does not stop. He finds yet another pinnacle and surmounts that as well. •

MICHIGAN'S 1991 TREE FARMERS OF THE YEAR

• Mr. LEVIN. Mr. President, on December 3, 1991, the American Tree Farm System recognized Cliff and Lucille Gearhart as Michigan's 1991 Tree Farmers of the Year. This award was presented to the Gearharts for outstanding woodland management, something they have been practicing for over 60 years.

The Gearharts of Wolverine, MI, have owned and operated North Star Trees, Inc., since the early 1940's and have been enrolled in the Tree Farm Program since 1989. North Star Trees, Inc., is located in northern Michigan, spreading over 1,800 acres across 3 counties.

The Gearharts are primarily Christmas tree growers; however, they have been recognized for their expertise in harvesting timber and growing seedlings.

The business is operated by Cliff and Lucille, their daughter Jean, their sons Dan and Dave, and their daughters-in-law Carol and Becky. During the Christmas season their grand-children even get involved. The company employs about 25 others during the peak summer months.

North Star Trees was chosen from more than 2,000 tree farms throughout the State. The Gearharts are now contenders for the National Tree Farmers of the Year Award for 1991.

The Gearharts' outstanding commitment to good forest management is rightfully recognized by this award. In the words of Cliff Gearhart, the "tree farmer contributes much to the needs of planet Earth."

I would like to take this opportunity to congratulate the Gearharts and wish them many more successful years of tree farming. •

AMERICA'S BALANCE OF TRADE WITH JAPAN

• Mr. KASTEN. Mr. President, I am concerned about America's balance of trade with Japan. The United States-Japanese trade relationship is a very important issue for our country. My home State of Wisconsin has a lot at stake.

The question of free and fair trade with Japan is a contentious one. I have been fighting to break down Japan's unfair trade barriers to United States products in a way that doesn't hurt American workers, while working to improve the competitiveness of our industries at home.

One of the defining issues for the United States-Japanese trade relationship is auto part sourcing. The Japanese use what is called the Keiretsu system of formal and informal networks between Japanese suppliers and manufacturers to exclude American companies.

I believe it's time for Congress to get involved. This is why I have decided to cosponsor S. 1850, a bill to reauthorize Super 301. This law was used effectively from 1988-90 to help break down unfair foreign trade barriers. It's authorization was allowed to lapse, and I think it is time now to bring it back.

However, there are things we can do at home to help our situation. I believe the United States can increase its exports by doing away with our own Government's policies of high taxation and overregulation. More incentives are necessary to encourage the growth and expansion needed to provide new jobs in all parts of the country, including my home State of Wisconsin.

The plan I recently proposed, the Economic Growth and Tax Freedom Act which calls for a cut in the capital gains tax, among other progrowth initiatives, would accomplish the goals of creating more jobs and increasing our Nation's exports.

The United States can compete, and is matching up well against other nations, but that is no excuse for our accepting unfair burdens at home. We need to eliminate many of the formal and informal hurdles that stand in the way of our products. The bill S. 1850 will help us do just that. •

ANOTHER PLAYGROUND SHOOTING TRAGEDY

• Mr. MOYNIHAN. Mr. President, I rise today to relate to my colleagues, with sadness, the most recent incident of children shooting children. Last Friday's New York Times reports that 2 children were shot yesterday by a teenager in a Brooklyn, NY, school playground.

The 2 playmates, one 11 and the other 13, had just left the swings to watch an argument that had broken out. One 16-year-old involved in the quarrel pulled out a handgun and fired two shots, hitting the young bystanders. The hospital now lists them in stable condition.

Almost as tragic as the shooting was the reaction of the children who witnessed it. According to newspaper accounts, few of them seemed surprised it occurred. One 13-year-old boy promised vengeance if he were shot. Another said, "I didn't even run. I'm too used to it now." He also speculated that it was a .25 caliber gun that was used. The police have a suspect, and are currently attempting to apprehend him.

Last year, and the year before that, there was an astonishing spate of shootings by children against children, and drive-by incidents in which bystanders were shot. This is an inauspicious start for 1992.

New York has some of the most stringent gun control laws in the country, yet the violent crime rate continues to rise. Although I support these laws, and am a cosponsor of the Brady bill, policymakers ought look to parallel alternatives as well. I believe one solution may be the control of ammunition. After all, guns do not kill people—bullets do.

On the first day of this Congress, I introduced S. 51, a bill to ban the importation, manufacture and transfer of .25 and .32 caliber and 9 millimeter ammunition. I applaud the efforts of Commissioner Lee Brown and the New York City Police to control crime, but it is time we help them with new legislative answers.

I encourage my colleagues to cosponsor S. 51, and ask that the full text of the New York Times article be printed in the RECORD.

The article follows:

[From the New York Times, Jan. 31, 1992]
WILD SHOTS HIT 2 CHILDREN IN A BROOKLYN PLAYGROUND

(By James Bennet)

Two children were wounded outside their Brooklyn school yesterday morning when another youth involved in a dispute pulled out a gun and fired two wild shots across a crowded playground, the police said.

The shooting was the latest in a series of recent violent incidents in and around New York City schools. Last week in Brooklyn, a student shot a police officer outside Junior High School 324 in Bedford-Stuyvesant, and three students were stabbed by a youth as they left Thomas Jefferson High School in East New York.

On the playground adjacent to the school where yesterday's shooting took place, Intermediate School 49 in Williamsburg, many students did not seem surprised or frightened by the violence. "I'm not scared," said Clebert Yarde, 13, a seventh grader. "If they shoot me and I know the guy who did it, I'll shoot him back."

TAKEN TO HOSPITAL

In yesterday's shooting, an 11-year-year-old boy was hit in the ankle and a 13-year-

old boy was nicked in the knee. Both youths, whose identities were being withheld by the police because of their ages, were taken to Woodhull Hospital, where they were listed in stable condition. The police were searching for a 16-year-old youth who probably also attends the same intermediate school, said Lieut. Ronald Peragine of the 90th Precinct.

The police and witnesses said the shooting arose from a student fight outside the school the day before. Schoolchildren said the fight began after on student stole another's hat, but the police said it was caused by something even more minor.

"One bumped into another, and typical children, you want to do something about it," Lieutenant Peragine said. "The Hispanic Youth pulled out a knife and slashed at the other boy." That boy and his friends then chased after the child with the knife, the lieutenant said.

Yesterday, he said, a friend of the youth with the knife brought a handgun to school, apparently to back him up should there be more trouble.

The police said they did not know why the youth started firing just after 9 A.M. as dozens of students, waiting for the doors to open, played on swings in the Thelma Martinez Playground, near the intersection of Graham Avenue and Scholes Street. But witnesses said the youth fired because he was being threatened.

"A lot of people were running at him and he just pulled out a gun and shot," said Ali Kettries, 13, an eighth grader. "They wanted to beat him up. He just shot and wounded an innocent kid who was running toward him."

One of the wounded children dropped to the asphalt. "I saw him on the floor, holding his knee real tight," said Gina Yournet, 12, a seventh grader. "He was crying and screaming." Like the other children, she said, she ducked and fled south down Graham Avenue. The other wounded student, witnesses said, was still able to run.

Police Commissioner Lee P. Brown denounced the shooting yesterday, linking it to the easy availability of handguns and increasing tolerance of violence among children and the public. "The fact that a teenager would shoot somebody shows a disrespect for life to begin with," he said, adding that "what we have to do as a society is make sure we do not have a tolerance level for violence."

But the reaction from the children, who had a half-day in school yesterday because they were taking midterm examinations, was not as strong. They said their teachers did not discuss the incident, and many of the students seemed to shrug it off.

'I DIDN'T EVEN RUN'

Tyrone Cocks, 13, an eighth grader, said gunplay was common near his home in the Marcy Housing Project. "I didn't even run," he said. "I'm too used to it now." Asked whether a handgun had been used in the shooting, he rattled off the calibers of different firearms. "It was like a two-five or a thirty-eight," he said.

Lieutenant Peragine said he planned to station a uniformed officer outside the school to prevent more violence. "We want to nip this in the bud," he said.●

MEASURES INDEFINITELY POSTPONED—S. 160 AND SENATE JOINT RESOLUTION 175

Mr. MITCHELL. Mr. President, I ask unanimous consent that Calendar Nos. 12 and 185 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TOMORROW

Mr. MITCHELL. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand in recess until 9:10 a.m. on Tuesday, February 4; that following the prayer, the Journal of the proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; and that there then be a period for morning business, not to extend beyond 9:30 a.m., with Senators permitted to speak therein, with Senator SIMPSON recognized for up to 5 minutes and Senator WELLSTONE for up to 10 minutes; that the time from 9:30 a.m. until 10 a.m. be for debate on the motion to invoke cloture on the motion to proceed to S. 166, with the time equally divided and controlled between Senators JOHNSTON and WALLOP; and that on Tuesday, the Senate stand in recess from 12:30 p.m. until 2:15 p.m. in order to accommodate the respective party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 9:10 A.M.

Mr. MITCHELL. Mr. President, if there is no further business to come before the Senate today and no other Senators seeking recognition, I now ask unanimous consent that the Senate stand in recess as previously ordered.

There being no objection, the Senate, at 5:40 p.m., recessed until Tuesday, February 4, 1992, at 9:10 a.m.

EXTENSIONS OF REMARKS

A TRIBUTE TO DEREK PRATT, THE
PRATT FAMILY'S NEWEST
EAGLE SCOUT

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize today my constituent, Derek Pratt, who was recently featured in the Miami Herald for becoming the third person in his family to become an Eagle Scout. The 17-year-old Braddock High School senior continued a family tradition by achieving the Boy Scouts of America's highest honor. His brother, Justin, became an Eagle Scout in 1985, and his father won this rank in 1956. The article "Eagle Scout Follows Family Footsteps" by Manny Garcia reports on his achievement:

When Derek Pratt, 17, was pinned an Eagle Scout on Saturday, he continued a family tradition dating back to 1956. His older brother, Justin, and their father, Buck, have also received scouting's highest honor.

"It was a bit of a challenge," Derek said about maintaining the family tradition. "I really look up to both of them."

Derek became the first member from the Metro-Dade Fire Department Explorer Post 1403 to become an Eagle. The post provides leadership skills, emergency first-aid and firefighting training for young men and women between 14 and 21. Derek is post treasurer.

"This was the topper of all pay days," said Buck Pratt, 49, an Eagle Scout since 1956 and a lieutenant and instructor with the fire department. "It's a tough nut to crack."

Bob Boyd, district director for the Boy Scouts agreed: "It's very unusual for fathers and sons to both become Eagle Scouts."

Justin Pratt, 21, has been an Eagle Scout since 1985.

Fire Chief Gene Perry awarded the rank to Derek during a ceremony at the Miami Elks Lodge in Kendall. Derek, a member of the first senior class at G. Holmes Braddock High School, also received letters of commendation from Gov. Lawton Chiles and President Bush.

Derek said the award is the climax of years of hard work. He got his first merit badge six years ago for first aid. Twenty-five merit badges later, he applied for scouting's highest honor.

For his Eagle Scout project, Derek organized construction of an aquaculture center at the South Campus of Miami-Dade Community College. The center contains three fish tanks that will help students study exotic fish.

He then passed an extensive interview with the Eagle Review Board.

The new Eagle Scout wants to be a firefighter, paramedic and nurse. He plans to attend fire college in Ocala in August.

Brad Havrilla, a Palm Beach firefighter and the post's adviser, said Derek will also succeed at fire college. "If I had to choose someone I wanted for the fire service, Derek would definitely be one of them."

I am pleased to pay tribute to Derek Pratt by reprinting this article from the Miami Herald. His story shows how the Boy Scouts of America and a good family have helped many young Americans develop character and leadership skills which will greatly benefit our community and nation.

THE 36TH, "TEXAS" DIVISION, A
PROUD HISTORY

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. VANDER JAGT. Mr. Speaker, during the coming year, some 52 years after its first components were transferred from the Texas National Guard and mobilized into the 36th Infantry Division, former members of that proud fighting unit will formally establish a museum memorializing its history in Brownwood, TX. Fittingly, for the members of this unit who went off to war to win the peace, the town of Brownwood has donated their train depot for the museum.

As a National Guard unit mobilized for duty, the 36th proudly wears its patch of a "T" on the arrowhead herald celebrating its Texas origins. We are proud to have folks in our home State of Michigan who have served valiantly with the 36th and who share in the desire to honor those who bore the burden of World War II. It is especially fitting that this museum be established as we look forward to the 50th anniversary of the end of that great conflict, and we look back at the last year, when we might say that the peace has finally taken hold.

It is my pleasure to bring to my colleagues' attention the proud history of the 36th Division, and to particularly recognize Mr. Frederick Ewald, now of Muskegon, MI, in Michigan's Ninth Congressional District, who served faithfully and who proudly seeks to assure that the contributions and sacrifices of the soldiers of the 36th are memorialized for history. A brief narrative of the 36th is offered herewith, and the thanks of a nation grateful for the contributions of all who served in the "Texas" Division and who proudly cherish the "T" patch of honor:

A HISTORY OF THE 36TH DIVISION

(Compiled by the 36th Division Pictorial History Team: Editor, Staff Sergeant Richard A. Huff; Associates, Corporal Robert Sieger and Sergeant Howard Jones; Supervising Officer, Captain Sumner S. Wilson.)

The war had ended. So had the career of a military intellectual who had chosen it as a lifetime profession. Field Marshall Albert Kesselring, the ace defensive specialist and a connoisseur of matters soldierly, sat hunched up on the corner of his cot, brooding in retrospect, and puffing on the last quarter of a bungled cigarette.

"Tell me, Field Marshall," persuaded Seymour Korman, Chicago Tribune war correspondent, "what do you consider the finest American Division to have opposed you?"

Without looking up and without a moment's hesitation, Kesselring sputtered, "Your 3rd and 36th Infantry Divisions. I've been continually amazed by their audacity, at their long flanking tactics and the way they turned up in so many different places. I've had to pit my best troops against them."

Even without tribute from captured enemy generals the "Texas" Division stands out as one of the truly veteran divisions of the Second World War. Girded with a spirit borne of fierce pride, the 36th made two amphibious assaults, at Salerno and on the Riviera, and saw intense action in four countries: Italy, France, Germany, and Austria during 366 days of combat operations.

Originally composed of Texas National Guardsmen, the 36th was mobilized into the Army of the United States on November 25, 1940, at Camp Bowie, Texas. Although Selective Service trainees later filled the Division to combat strength and reinforcements from all over the Nation gave it an All-American flavor, the citizens of Texas still regarded it as their own.

Prior to Pearl Harbor the Division was triangularized from four to three infantry regiments. With the advent of war, elements of the old 131st Field Artillery Regiment were sent to the Pacific and caught in the Japanese drive through Java early in 1942. (Survivors of the battalion, lost throughout the war, returned to the United States in October, 1945.)

In the formative years following, men of the Division bore the distaste of early army shortages, transformed a fledgling muddy camp into habitable quarters, "fought" with General Walter Kreuger's Third Army in the swamplands of Louisiana. It moved overland to sandy Camp Blanding, Florida, in February, 1942, and there was primed for an early overseas shipment. But orders changed, and so did the Division as cadres departed and recruits were added. After extensive maneuvers in the warm Carolinas during the summer, the 36th moved to a Yankee station on Cape Cod, Camp Edwards, Massachusetts. Here, living in tent cities, Division men practiced the then new art of amphibious operations, launched a mock invasion on Martha's Vineyard in late October. It was cold-tested at twenty degrees below zero in a blustery winter on the Cape. Parts of the Division engaged in a final, quick mountain maneuver at Piney River, Virginia, in March. Then on April 2, 1943, having come together from staging areas at Camp Edwards and Fort Dix, New Jersey, a solemn 36th sailed out from the New York Port of Embarkation and by fast convoy arrived at Oran, Algeria, eleven days later.

North African spring flowers and green valleys surprised T-Patchers when the '40 and 8's carried them one hundred miles inland to a training ground at Magenta. Until Rommel's Afrika Corps was decisively whipped at Tunis and Bizerte, the Division was held in combat reserve. Then, in a political move to avert Spanish or German designs on French Morocco, the 141st and 143rd Regiments, Di-

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

vision Headquarters and Special Troops shuttled westward five hundred miles to spend a leisurely summer in the cork forests near Rabat and Casablanca. The 142nd went to Tlemcen, in Algeria, and patrolled a wide area in search of stray Germans thought to be heading for the Spanish border from Tunisia, "captured" one prisoner in one month.

The Division formed the backbone of the newly organized Fifth Army. Serving as school-troops at the Army's Invasion Training Center on the Mediterranean at Arzew, it put through the paces the veteran 1st and green 45th Divisions before these shipped on the Sicily invasion. Then the 36th's own time came at Salerno, September 9, when all that the long months of training had prepared them for paid dividends as an unyielding 36th clung to the threatened beachhead.

In so doing the 36th was justifying its proud heritage. Its history was one that dated back to 1835 and the Alamo when the 141st was born during the whirlwind of the Texas Revolution. In World War I the 36th "Lone Star" Division served in the Champagne sector during the Meuse-Argonne offensive, spent 23 days in active sectors, captured 813 men, 9 artillery pieces and 294 machine guns. Its record less brilliant than that of its 1943-45 counter-part, the 1918 36th fought in the same glorious tradition legendary with fighting men of Texas.

In World War II, in nineteen months of combat, in five major campaigns, and in two amphibious assaults, the 36th Infantry Division had expended the maximum in heroism and hardship. The 36th is proud of its 175,806 enemy soldiers captured, its 15 Congressional Medals of Honor, its 10 Presidential Unit Citations, and numerous other battle awards. At the same time its casualty list, third highest of any American division, numbered 27,343, of whom 3,974 were killed, 19,052 wounded, and 4,317 missing in action.

The 36th had had a tough time of it, but they had given more than they had taken.

THESE TAX CUTS STUNT GROWTH

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. PEASE. Mr. Speaker, the New York Times recently ran an editorial decrying the tax proposals that the President planned to, and in fact did, offer in his State of the Union Address. The editorial points out the wrong-headedness of the approach the President has taken to address our economic problems.

I commend this editorial to my colleagues.

THESE TAX CUTS STUNT GROWTH

To judge by advance leaks to reporters, the "growth" tax cuts that President Bush will announce in his State of the Union address tonight and his budget tomorrow will promote precious little growth. Taken individually, they range from inconsequential to destructive. Taken together, they would put billions into undeserving pockets—and wreck the tax code.

Economic recovery cannot be bought with a mishmash of political handouts. What the economy does need is a swift kick, most easily delivered by a temporary tax cut that doesn't drain away revenues once the economy recovers. For the long term, the economy needs a tax code that favors saving over consumption. Perhaps there's more to the Bush plan than has been leaked, but other-

wise, it won't do much to hasten recovery or reform.

Mr. Bush reportedly plans to propose tax breaks for middle-class families, capital gains, corporate investment, first-time home buyers and retirement savings. Most of these ideas fail on the merits. In combination, they're worse.

Middle-Class Relief. The President wants to increase personal exemptions, perhaps targeted to children. This idea is triply flawed:

The tax cuts would be permanent, robbing Congress of revenues desperately needed for infrastructure, children and research.

Higher exemptions are unfair because they would be worth twice as much to richer families than to families in lower tax brackets.

The proposal is mistargeted. Middle-class families are suffering because their wages haven't been rising, not because their taxes have been rising. Sluggish wages are a problem of productivity that can only be solved by more investment.

What kind of growth can be expected from a plan that has so much wrong with it?

Retirement subsidies. Mr. Bush wants to go give rich families a tax break on retirement savings already available to low-income families. Properly targeted, and financed, subsidies for savings might be good policy. But Mr. Bush's idea is a gimmick, rigged to produce a deceptive bulge in revenues in the short run—while creating a huge budget hemorrhage in 5 or 10 years.

At that point, Congress will have to cut back public programs, including investment.

Real Estate Giveaways. Apparently Mr. Bush believes America can reclaim its technological lead by building housing. He proposes to bring back wasteful tax shelters for investors in real estate, the most tax-subsidized industry. He's also expected to propose a subsidy for first-time home buyers. When economists say the U.S. needs more investment, they mean in education, telecommunications, research. Not houses.

Corporate Investment. Here, finally, Mr. Bush seems to be on track. Higher subsidies for corporate investments could promote growth. But even here there's a catch.

He's also reportedly going to propose new subsidies for saving. Putting both ideas together, the President apparently wants corporations to borrow money from tax-subsidized retirement funds in order to make tax-subsidized investments. That's a double subsidy, which could well encourage corporations to buy \$100 machines that produce only \$90 worth of output.

The error of simultaneously subsidizing savings and investment dramatizes the folly of piecemeal tax reform. That's why Mr. Bush would do better by pledging temporary tax cuts tonight and calling for an expert commission on long-term tax reform to report back to Congress after the November election.

Mr. Bush is likely to propose more than this list of misconceived tax cuts tonight, if only to rehearse his ill-advised capital gains cut. But unless there are some notable surprises, the tax package in his larger program looks perverse: In the name of growth, it would stunt growth.

ENGLISH AS THE OFFICIAL LANGUAGE OF MISSOURI

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. EMERSON. Mr. Speaker, tomorrow, the Missouri General Assembly will hold a hearing on a bill to declare English the official language of the State of Missouri. As a native Missourian and sponsor of the Language of Government Act in the Congress, I hope this hearing will bring this issue to the attention of the public. It is time to pass the Language of Government Act, and I urge those States which have yet to pass official language legislation to do so soon.

A common language is common sense. Our laws should say so. Americans across the full spectrum share that goal, from Barry Goldwater to Eugene McCarthy, from Arnold Schwarzenegger to Alistair Cooke, and from Paul Tsongas to Pat Buchanan.

Important national organizations also add their endorsements: VFW, American Legion, the Congress of Racial Equality, Daughters of the American Revolution, American Farm Bureau, and the Grange.

Editorials in some Missouri publications have attempted to portray the common language movement as racist, xenophobic, un-American, and even anti-semitic. But the breadth of support shows the absurdity of those charges. The support to recognize our common language as our official language of governing crosses the entire ethnic, racial, linguistic, religious, and political spectrum of America.

Why do Missouri and the United States need to adopt a coherent language policy now?

Jobs: Why would investors create jobs in a location where they might have to deal with Government or employees in multiple languages? Obviously, a cost conscious investor won't. That's one reason States with official language policies are out-competing the other States for job investment dollars.

Budget: Budget deficits are soaring, and there seems to be no end in sight to our growing tax burden. Government needs to rein in costs, not maintain the current unwritten, wide-open policy allowing unlimited duplication of every government activity in every language.

Social stability: Some folks wonder if safe cities are a thing of the past. Ethno-linguistic lines already define gangs and ghettos in many areas. This will become permanent if we continue focusing on separate language government rather than empowering and including people by teaching our common language.

Equality: "Separate-but-equal" government is never equal. The great equalizer for diverse immigrants coming to America has always been a common language. Most immigrants come from countries with official language laws, and immigrants understand well that English opens the doors of opportunity. A penny spent on "separate-but-equal" language services is a penny that would be better spent teaching our common language.

Unity: Should we have a Nation of multi-lingual individuals sharing a common public

life and Government through a common language or a Nation of separate language groups inefficiently tied together under a multi-lingual government attempting to operate in every language?

Without a commitment to a common language, how will public debates take place? How can misunderstanding and distrust be avoided? A common language allows us to debate differences and forge compromises. A common language allows all to be included; no one is left outside. And our common language, English, is the only language without attachment to one single culture or ethnicity.

Take a look at current events—at cities, societies, and countries where people cannot communicate in a common tongue: Serbs and Croats, Azerbaijanis and Armenians, Xhosa and Zulus, Greek and Turkish Cypriots, Belgian Walloons and Flemings; the list goes on, but the societal consequences are the same, discord and disintegration.

Please join me in raising public awareness of this urgent yet widely overlooked issue. We must work together to craft logical, practical, workable language of government policies—policies that will deny essential services to no one, but will affirm the commitment to inclusion, empowerment, and equality that a common language brings to a Nation of diverse and unique individuals.

IN MEMORIAM: MITCHELL POTTER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, it is with deep regret that I speak of the death of 77-year-old Mitchell Potter, the former Mayor of North Bay Village. Mayor Potter served the Miami Beach area for many years as a member of North Bay Village's city government and was very active in a number of the area's chambers of commerce.

I would like to pay tribute to Mayor Potter by reprinting his obituary from the Miami Herald:

Mitchell Potter, former mayor of North Bay Village and a merchant who sold corsets and lingerie on Miami Beach and Surfside, died Monday of heart failure, his family said. He was 77.

Mr. Potter served as mayor of the tiny island town from 1976 to 1978. He served as vice mayor from 1970 to 1972 and was a councilman from 1972 to 1974 and 1978 to 1980.

"He was my neighbor and probably one of the best commissioners and mayors the city ever had," said Mayor Paul Vogel, in office 10 years.

Vogel beat Mr. Potter in a mayoral race in 1982, but the two remained friends, he said.

"After I ran, we became even closer friends," Vogel said. "He helped me and the city any time we needed him. He shared all of his knowledge about the city and the office and was always available."

Mr. Potter and his late wife, Fay, started Fay Potter Corsetries in Philadelphia. They worked side by side in the business, specializing in custom-fit undergarments.

In the early 1950s, they left Philadelphia for South Florida, opening a Fay Potter Corsetries shop on Washington Avenue and then a second one on Harding Avenue in Surfside.

In the late 1970s, the couple sold the business and retired.

Mr. Potter was active in the business community from the time he moved to Florida.

He was past president and a founder of the Goldcoast Chamber of Commerce, the Surfside Bal Harbour-Bay Harbor Islands Chamber of Commerce, the Interama Chamber of Commerce and the Southshore Businessman's Association.

In 1974, he originated Surfside's annual "Salute to Canada Week," which honored the many Canadian tourists who visit the town in the winter.

As mayor of North Bay Village, he helped start up a volunteer fire department.

"He helped the city grow," Vogel said. "Later he served on the Civil Service Board for several years. He was very committed to North Bay Village."

Mr. Potter, former president of North Bay Village's Temple Beth El and of the North Bay Village Lions Club, is survived by daughter Joan Potter Kovnot, son Mark, grandson Matthew Eric, sister Betty Brooks, niece Jeanne Gelb and nephew Martin G. Brooks.

I am proud to remember his many contributions to the area I represent in Congress by reprinting this article. Mayor Potter's death is a great loss to his many friends and to the people of South Florida.

THE BURDEN OF SOURCE INCOME TAX

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mrs. VUCANOVICH. Mr. Speaker, the following article by William H. Sager appeared in the October 1991 issue of the "National Public Accountant" from the National Society of Public Accountants. The article illustrates well the problems associated with the source income tax, the taxing of nonresident pension income by States:

STATE TAXATION OF FORMER RESIDENTS' PENSIONS

The state income taxation of the pensions of former residents of the state is an oppressive tax known as the "source tax." The name is derived because the states that impose the tax upon their former residents consider themselves to be the source of the pension benefits earned within the state but now received elsewhere.

One of the prevalent examples of the source tax is the state of California. A number of taxpayers who earned their pensions while living and employed in California upon retirement moved to Nevada where there is no state income tax. As a source tax state, California follows and attempts to collect its state income tax on the now out-of-state taxpayer's pension. California is telling non-resident taxpayers that they owe California income tax on their pension income because they qualified for and earned the pension while they were residents of California. Moreover, the non-resident taxpayers (whose ties to California are now completely severed) are informed that they will owe the California income tax on their pension income for as long as they receive it—presumably, the rest of their lives.

California and the other states that employ the source tax rationalize their action

by considering that they were the source of the pension benefits and the taxpayers, as residents while earning the pension benefits, used the state's services and facilities. The taxpayers (now retirees) argue that they paid taxes as a state resident while using the State's services and now that they are retirees and their incomes are reduced they have no further obligation as a non-resident not currently using state services to be taxed on their pension income. Moreover, the non-resident retirees argue that a tax on pension income is a tax on intangibles and the situs of an intangible tax is the place where the owner of the intangibles is located.

The following states tax the pensions of individuals who no longer reside or have any connections within the state: Arkansas, California, Idaho, Iowa, Kansas, Massachusetts, Maryland, New York, Oregon, Utah, Vermont and Virginia. Retired taxpayers who receive a pension are rightfully concerned whether the above 12 source tax states will follow them to their retirement residence states and attempt to collect income taxes on their pensions.

Several retirement states that do not have an individual state income tax have enacted laws forbidding another state to seize the property of their residents for non-payment of the source tax. Nevada and Florida have enacted such protection laws and Texas is considering one.

Meanwhile, since the current situation between California and Nevada has engendered controversy and apprehension on the part of California retirees who are now residents of Nevada, it was only natural that the Nevada congressional delegation would become involved. Representative Barbara Vucanovich (R-NV) believes the source-tax is clearly unfair and discriminatory. On January 3, 1991, she introduced H.R. 431 (referred to the House Judiciary Committee) which would ban the state source tax on the non-residents' pension income that the retirees earned before their retirement and before moving to another state.

On June 12, 1991, Rep. Vucanovich testified before the Senate Finance Committee's Subcommittee on Taxation and Debt Management in support of S. 267 (introduced by Nevada Senator Harry Reid), which would prohibit a state from imposing an income tax on the pensions of individuals who no longer reside in that state. "Many states across this country have the source tax law on their books and can activate collection procedures at any time. States that are already collecting the tax, like California, charge high penalties and daily interest fees but are in many cases delinquent in notifying the taxpayers of the tax. This creates huge interest penalties and an overwhelming tax burden on this nation's senior citizens," said Rep. Vucanovich. "But these states are not satisfied with this already enormous amount; they want more. So they tax not only the pension income, but all other sources of the retiree's income regardless of the state in which the money was earned. Simply stated, this is taxation without representation."

On March 22, 1991, Rep. Vucanovich introduced second bill aimed at stopping the taxing of non-residents' pension income. The second bill, H.R. 1655 provides that no deduction shall be allowed for certain taxes paid to states that tax non-residents on pension income in an unfair manner. However, any state intent on maintaining its source tax on non-residents' pension income would be required to provide the taxpayers with advance notice of the tax and allow the taxpayer an opportunity to prepay the tax before leaving

the state, and implement a taxing formula that does not include income from any other state. Since H.R. 1655 amends the Internal Revenue Code of 1986, it was referred to the Committee on Ways and Means.

The source tax is an opportunity for independent practicing accountants and their affiliated state organizations to flex their political muscle. Expressions of support to Rep. Vucanovich for H.R. 431 and H.R. 1655 are certainly in order. Just as important, letters of support to members of the committees before whom those two bills are pending would be appropriate. As in all cases, please send NSPA's Director of Federal Affairs a copy of your letter and any response received.

NSPA's affiliated state organizations possess considerable political clout on the state level. If your state is one of the dozen states (listed previously) that imposes a source tax on non-residents' pension income, exercise your influence to get the legislature to rescind or modify the tax. No one is more familiar with the state's tax structure than the independent practicing accountant. The accountant recognizes problems of tax avoidance, tax compliance and tax fairness and equity and is just as familiar with what is involved in the characteristics of a tax as are most legislators.

The issue of the source tax is a window of opportunity for the independent practicing accountant to express concerns to the federal Congress and to the state legislature. The rewards for doing so are name recognition, organizational recognition and the opportunity to be involved in an issue of fairness and taxpayer fair treatment.

GIRL SCOUT COUNCIL OF TROPICAL FLORIDA BEGINS AN ANNUAL TRADITION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize today the Girl Scout Council of Tropical Florida which was featured in the Miami Herald for beginning its annual Girl Scout cookie sale. This traditional event began in the Miami area in 1934 with 492 Girl Scouts selling 4,000 boxes of cookies. By comparison, this year, 12,000 Girl Scouts are expected to sell almost 600,000 boxes. The article "Sweet Success Cookie Sale Lets Girl Scouts Learn Business, Reap Rewards" by Bea Moss reports on this annual tradition:

At Cookie Central, three trailer trucks Monday unloaded hundreds of cases of an annual favorite appearing soon in all neighborhoods.

The yearly Girl Scout cookie sale begins today.

Workers stacked the cases in an activities building at the Girl Scout Council of Tropical Florida headquarters in Southwest Dade. Wednesday, Scouts began picking up the orders they placed in November.

The initial preorders look good. We were pleasantly surprised," said Charlotte Latham, the council's public relations director. "If it continues we should have a good sale this year."

This year's goal for the council, which serves Dade and Monroe counties, is to sell 600,000 boxes.

Cookies cost \$2.25 a box, up 25 cents from last year, and include the regular favorites:

Thin Mints, Samoas, Do-si-dos, Tagalongs, Shortbread Trefoils and Chalet Cremes.

One change: Golden Nut Clusters, a vanilla cookie with caramel nuts and a maple coating, has replaced Trail Mix cookies, a granola-type offering that didn't sell well last year.

Thin Mints and Samoas are the two top sellers. "We order 10 times more of those than anything else," Suzi Harris said.

But Harris, a troop leader and chairwoman for a service unit that includes 12 troops, said cookie selling is a lot of work.

"Several months in advance the girls go through training," said Harris, who has helped girls with sales for five years. "We handle a tremendous amount of money and there are numerous safety procedures to follow."

Last year Harris' troop used profits from cookie sales to pay for trips to Kennedy Space Center in Cape Canaveral, and Key West. Their proceeds usually exceed \$500, Harris said.

"The cookie sale shows camaraderie among the girls, how to deal with the public and how to handle themselves in the public eye," said Harris, whose two daughters, Meschelle Gard, 17, and Heidi, 12, are in Scouting.

It's not hard selling cookies, said Heidi. "Family members and friends buy them and I think everybody pretty much likes to buy Girl Scout cookies."

Scout cookies were first sold in Dade County in 1934. The next year, Dade's 492 Girl Scouts sold 4,000 boxes of cookies, according to records.

Today the Tropical Council serves 12,000 girls.

The yearly cookie sale is the group's only major fund-raiser.

For each box sold, 80 cents goes to the cookie company, 5 cents goes for handling, 35 cents goes to local troops, 5 cents is allotted for prize incentives and \$1 is kept by the council to support Scout troop activities, maintain properties, buy camping equipment and help girls defray summer camp expenses.

Nancy Romer, an assistant leader of 30-member Troop 689 in North Miami, said the sales teach the girls to handle rejection, too.

Brandyce Romer, 7, said she has no problem when people say they don't want cookies. "If they say no, I just go to the next person," said Brandyce, a second-year Brownie.

Cissy Snelling's two Cadet troops sold about 6,000 boxes of cookies last year.

"As the girls get older, they learn to take on more responsibility. It's good for them," said Snelling, who lives in Kendall.

Snelling's daughter, Cassie, 11, said cookie selling is fun.

"I like collecting all the money and getting to go on field trips," said Cassie, now in her sixth year of selling. "And it gets easier."

I am pleased to pay tribute to Charlotte Latham, Suzi Harris, and the many others who are active in the Girl Scout Council of Tropical Florida by reprinting this article from the Miami Herald. The Girl Scouts through their cookie sale and many other activities helps teach many young people the leadership skills which will greatly benefit our community and Nation.

THE YEAR OF THE AMERICAN INDIAN IS 1992

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. FALEOMAVAEGA. Mr. Speaker, through Public Law 102-188—Senate Joint Resolution 217, House Joint Resolution 342—Congress and the President designated 1992 as the Year of the American Indian. This law pays tribute to the people who first inhabited the land now known as the continental United States. Although only symbolic, this gesture is important because it shows there is sympathy in the eyes of a majority of both Houses of the Congress for those Indian issues with which we as a Congress have been struggling for over 200 years. In support of the Year of the American Indian, I am providing copies of recent articles for the consideration of my colleagues.

Mr. Speaker, today I want to share with my colleagues an editorial in last week's U.S. News & World Report about the growing problem of service members being released from active duty with less than 20 years of service. Mr. David Gergen notes that 500,000 men and women will be released from the military services over the next 4 years. He notes that this is a cadre of well-educated, well-disciplined employees who can make a significant impact on businesses willing to employ them. A significant percentage of American Indians are serving and have served in our Armed Forces, and are in need of employment. I think this is an important point and I commend the editorial to my colleagues.

HEROES FOR HIRE

(By David Gergen)

As the nation celebrated the first anniversary of its gulf-war victory last week, Gen. Gordon Sullivan was in Germany furling the flag of two of the Army's finest divisions. The 3rd Armored, the "Spearhead Division" that won its fame at Omaha Beach and led the attacks against the Republican Guard in Desert Storm, is coming home. So is the 8th Infantry Division (Mechanized), which fought at the Battle of the Bulge and helped to feed and house thousands of Kurds.

Their withdrawal is part of a massive restructuring in the U.S. military. Over the next four years, the Pentagon will retire 500,000 men and women—six times as many as General Motors is laying off—in the largest demobilization since World War II. This exercise deserves a lot more attention—and imagination.

Defense Secretary Dick Cheney, whose stature grows each year, persuaded Congress last fall to enact more generous benefits for early retirees. An E-6 leaving after 10 years of service, for example, can choose a lump sum payment of \$28,172 or receive \$4,695 a year for 20 years. The Pentagon has also set up a database to link potential employers with displaced military and civilian personnel and has created job centers at more than 350 military bases. (Firms can call 703-614-5322 for information.)

Even so, the nation is not yet doing enough to take advantage of this windfall of talent. As we learned in the Persian Gulf, the U.S. military today is filled with some of America's smartest, most disciplined and best educated men and women. Some 98 percent of

the military's enlisted ranks hold high-school degrees, compared with 82 percent of others their age. More than 99 percent of the 50,000 Army officers to be discharged by 1995 have a college degree, and, at the rank of major or above, 80 percent have advanced degrees. They have proved themselves in an atmosphere that demands continuing education and is nearly free of drug problems and racial bigotry. More to the point, private tests have consistently found that high-ranking military officers score higher than most corporate executives in leadership skills. They know how to compete—and win.

Gov. Carroll Campbell of South Carolina recognizes the rich potential these men and women offer. He has signed an agreement with the Army to attract them into jobs as health professionals, engineers, managers and the like. He isn't seeking to displace current workers but to fill the skills gap of an increasingly progressive state. In Texas, where Ross Perot built a successful business empire with military veterans, public-school teachers are being recruited from the armed forces. Cities in Schools, a nonprofit group in Alexandria, Va., is developing a program that will enable departing military personnel to direct dropout-prevention efforts in tough schools. And the Committee for Economic Development has mounted a campaign among top business executives to seek new hires among the military.

These efforts should serve as a model for an expanded national drive tied to an American revival in the 1990s. The nation is in a terrible slump now. But we have the power to reverse our fortunes if we stop bellyaching about our problems and get to work solving them. These military people can play key roles in that task. Clearly, our schools need an infusion of new talent, especially with 2 million teachers planning to leave teaching in this decade. As it happens, a third of the officers leaving the Army are qualified to teach high-school math, and 10 to 20 percent can teach physics. What is needed is a concerted effort, state by state, to knock down the certification barriers that bar good people from the classroom. And what about bringing a little sanity to our streets? Over 24,000 Americans lost their lives through violence last year. With creativity, it should be possible to set up new, volunteer units of discharged veterans—paid for by Washington along with state and local governments—that would make neighborhoods safe once again. Surely, Dick Cheney and the president could ask some of our best minds to think of additional challenges.

When we sent our troops into war a year ago, we struck an unwritten covenant with those men and women that if they put their lives on the line, we would look after them when they came home. Well, they're home now and will soon need jobs. We owe them. But equally so, we should recognize that as they take off their uniforms, they present us with marvelous opportunities to lift up the nation.

SOUTHWEST HIGH ADDS SIGN LANGUAGE TO CURRICULUM

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, Southwest High School in Miami, FL, was selected to teach hearing-impaired students in special

classes. As part of this new program, classes were added to teach sign language to students who can hear. The Miami Herald recently printed a story by staff writer Jon O'Neill which highlights Southwest High's effort to mainstream the hearing impaired and expand the understanding of the hearing. That article follows:

Sign language has opened a new world for Southwest High student Andrea Stainton.

Andrea, 17, can hear. But she and more than 50 other Southwest students are learning how to communicate with the deaf in classes offered as part of the Hearing Impaired Program at the school, 8855 SW 50th Ter.

For Andrea, learning to talk to those who can't hear has helped her make a career decision.

"After taking this class, I've decided I want to go into some sort of speech pathology," she said. "This class is a lot of fun."

Last year, Southwest was selected to teach hearing-impaired students in special classes; 46 students attend there now.

Part of the new curriculum included sign-language classes for kids who can hear. They proved to be very popular, and more were offered this year.

"I was surprised by the number of kids who signed up," said Barbara Chotiner, who teaches the classes. "At this age group, you'd think the kids wouldn't be interested. But they have a lot of enthusiasm for it."

Tuesday, Chotiner ran some of her students through some vocabulary words, teaching them to add emotion to their signing. It's delicate. The wrong motion or placement of a finger can change the meaning of a word or sentence.

The classes do more for the students than just help them learn the mechanics of sign language. Many students say they've acquired sensitivity toward their hearing-impaired counterparts.

"So many people are not aware of the deaf community," said Margaret Lombino, an interpreter at the school. "They haven't been exposed to it, and when they are they don't know how to react. This teaches them that deaf students are no different than they are."

Junior Mairim Peñate, 16, understands that. Since the deaf students started coming to school there, she has wanted to talk with them. Now, she knows enough to carry on basic conversations, and she has decided she wants to teach sign language and work with the deaf.

"People sometimes ask me why I want to talk to them," Mairim said. "But only people who are closed-minded set the deaf kids apart. They're the same as anyone else."

Mairim was part of a group of Chotiner's students who went to Gulfstream Elementary in Cutler Ridge before the holiday break to sign Christmas carols to deaf students there. The school also has a chorus made up of hearing and hearing-impaired students called "Silent Singers."

"I think all of the students here are more sensitive to the hearing impaired since the program started," said assistant principal Stacey Mancuso. "It's been a good experience for everyone."

Mr. Speaker, I commend the efforts of Southwest High, my alma mater, to promote this new program which benefits the hearing and the hearing-impaired alike. In particular, I want to recognize the leadership of principal, Ronald Ferrer; assistant principals, Stacey Mancuso, Carolton Jenkins, Mike Brennan;

and director of the hearing-impaired program, Barbara Chotiner for making this program a success at Southwest High School.

IN HONOR OF EDWARD D. BETTENCOURT'S 50TH ANNIVERSARY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. STARK. Mr. Speaker, I consider it a privilege to be able to recognize Mr. Edward D. Bettencourt on the occasion of his 50th anniversary at Kaiser Sand & Gravel Co., of Pleasanton, CA.

This anniversary is not just a celebration for a man who has worked 50 years with the same company, but the celebration of a true success story.

Since Edward Bettencourt's story was well told in a 1989 issue of Rock Products, I am including it here.

EDWARD D. BETTENCOURT

(By Mitchell Rukavina)

The old adage that "good things come in small packages" is certainly true about Ed Bettencourt, a control room operator at Kaiser Co.'s Radum sand and gravel plant near Pleasanton, Calif.

Bettencourt best symbolizes the dedicated individuals who make up the aggregate mining business with his work ethic, his ability to respond to emergency situations, his willingness to adapt to an ever-changing industry, and his loyalty to the company that hands him his paycheck.

Bettencourt has a tougher time than most trying to join the aggregate industry 47 years ago. Only 5 ft., 3 in. tall and 100 lb., he showed up at the plant pleading for a job on four consecutive days. Plant Supervisor Bart Carter told Bettencourt to go home because he "was too small to cut the mustard."

Undeterred, Bettencourt came back a fifth day and kept pestering Carter. "I told him not to worry about my size, just to give me a chance," said Bettencourt.

Carter relented and put Bettencourt on the bull gang, a common labor crew. For two days he carried railroad ties that nearly outweighed him. Carter dropped by to check on Ed and promptly chewed out the crew's supervisor for allowing Ed to singlehandedly carry ties, a job normally done by two men working together.

From that day forward, Carter always referred to Bettencourt as "little big man." Carter was so impressed with Bettencourt's hustle and willingness to work anywhere in the plant that, before the year was over, he asked Ed to help run the entire operation as plant engineer, even though Bettencourt only had an eighth grade education.

Bettencourt never missed a day of work during his first 27 years at the Radum plant. After a two-year stint during World War II in an engineering battalion, he was discharged and returned to his job.

When Radum constructed a new, completely automated plant, the superintendent gave Bettencourt some books on automation and told him to start preparing. "I took those books home and studied them every night until I mastered the entire control room process," said Bettencourt. "It took me two weeks to adapt to the old plant

(which was not automated), and six months to handle the new one."

"You can talk about computers, but you soon realize we also have a computer up here," said Bettencourt, tapping his head. "In 47 years you acquire an awful lot of knowledge and learn how to use it."

Only the third person in company history to receive a 45-year award (in 1988), Bettencourt, who is 69, hopes to stay with the company until he hits the half-century mark in 1998. He oversees every operation from pit to plant to stockpiling and loadout. He has nearly 400 buttons and switches to keep an eye on in his control room.

"This is my home," says Bettencourt, referring fondly to the Radum plant, which is named after an old marker near a Y-shaped rail transfer point. Firmly ensconced in the control room atop a 5-story plant structure off Stanley Boulevard, Bettencourt calls his office the "top of the Mark" (after one of San Francisco's most famous hotels).

"If you give them a good day's work, the company will both appreciate it and pay you well for it," said Bettencourt, who was born and grew up on a ranch near Livermore, Calif. Orphaned at a young age, he was brought up by an aunt and uncle. "I think my work and the dedication of my co-workers shows in our average production rate of 3,000 tph. For years we have been ranked among the top 10 sand and gravel plants in the country. This comes from treating people with respect and being treated the same way."

Edward Bettencourt's half century of hard work and dedication at Kaiser Sand & Gravel have earned him enormous distinction. I would like to add my congratulations and best wishes for his continued success, to the good wishes being extended to him by his friends and colleagues.

JOSE FRANCHI: CHANNEL 51'S NEW STATION MANAGER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Jose Franchi, who recently was featured in the Miami Herald after being promoted to vice president, station manager, and comptroller of south Florida's Spanish-language television station Channel 51. The article "Four-year Channel 51 Veteran Promoted To Station Manager," by Charles Rabin tells how Mr. Franchi worked his way up to this important position in the television industry:

Jose Franchi takes exception to a recent Forbes magazine article that downplays the need for selling to Hispanics.

"I find it interesting that they would have those views sitting in the concrete jungle of New York," said the new vice president, station manager and comptroller of Spanish-language television station WSCV-Channel 51 in Hialeah.

The controversial article suggested that because of assimilation, the need to advertise directly to the Latin community is more myth than reality.

But Franchi says the Hispanic market is only now beginning to develop.

"The advertisers that are taking advantage of the Hispanic market are seeing tre-

mendous gains," he said. "It's very challenging. We're only now beginning to scratch the surface."

Channel 51 is doing "tremendous," Franchi said, adding that 1991 was a solid year. Without giving specific figures, he said Channel 51 experienced growth in revenues.

"Nobody can say they're not feeling the recession, but we haven't felt the full impact because we're in a growth mode," he said.

According to Franchi, the latest Arbitron ratings show Channel 51 with between 35 percent and 40 percent of the Hispanic market in South Florida. He believes a good deal of that is due to the station's 40 hours per week of original programming from the Hialeah facility.

In January 1990, Channel 51, which is owned by the Telemundo Network, moved into the Telemundo home office in Hialeah.

In addition to providing access to the network's resources, it also enabled Channel 51 to consolidate the Coral Gables sales office and the Hollywood studio under one roof.

The Telemundo network, which was formed in 1986, has six stations across the country, in New York, Los Angeles, Hialeah, San Jose, Calif., Houston and San Diego. It also has a flagship station in San Juan, Puerto Rico.

Channel 51 offers coverage to Dade, Broward and Monroe counties, with a 5 million-watt transmitter.

Franchi has been with the station for four years, previously serving as business manager. "I had an opportunity to get in on the ground floor," he said. "I'm really happy with the commitment that management has toward the station."

A 1981 business administration graduate of Florida International University, Franchi landed a job in the vending division of Wometco a year later. At the time, Wometco owned a number of television stations, including Miami's WTVJ-Channel 4. By 1983, Franchi was in the broadcasting division of Channel 4.

Two years later, he jumped to WWSB in Sarasota as business manager, and by 1988, he was working for WSCV.

Franchi and Manuel Calvo, Channel 51's vice president and general manager, crossed each other's paths a number of times. In Sarasota, Calvo was a part owner and acting station manager. The two also worked together in the early 1980s at Channel 4.

"Jose is one of those individuals you find in this business who becomes a complete cheerleader and spreads it around," Calvo said. "I've been in the industry for 26 years, and I don't think anyone is better."

Franchi always seems to be looking at a half-full glass, not a half-empty one.

"The future is bright," he said. "The Hispanic market potential as an avenue for advertising and delivering a message is just scratching the surface. I came here with lots of expectations, and I still feel that way."

I am happy to pay tribute to Mr. Franchi by reprinting this article from the Miami Herald. The article shows how through hard work and determination, he has helped channel 51 win a major share of south Florida's rapidly growing Hispanic market.

TRIBUTE TO MARLOWE D. FROKE

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. CLINGER. Mr. Speaker, I rise today to bring the attention of my colleagues to an ex-

traordinary man, someone who has made considerable contributions to the people of Pennsylvania, Mr. Marlowe D. Froke.

Since 1964, Mr. Froke has been the guiding force behind WPSX-TV, the public television station in University Park, PA. Since that time, Mr. Froke's responsibilities have not only included the public TV station, but an independent learning program that enrolls more than 25,000 students each year; Pennarama, a statewide educational cable channel and programming of a statewide instructional satellite system.

Mr. Froke has also served as the director of the National Cable Television Center and Museum, established at Penn State University by the cable TV industry. He has served as an associate dean of Penn State's School of Communication and as an associate professor of communications.

Mr. Froke was the founding editor of the Journal of Continuing Higher Education and served as its editor for 7 years.

He has also been the recipient of several major awards including the Penn State Wilderson Award for Administrative Excellence; the Outstanding Adult Educator Award by the Pennsylvania Association of Adult Continuing Education; the Pennsylvania Association of Broadcasters Distinguished Service Award for Lifetime Achievement; two innovative program awards from the American College Testing Program and the National University Continuing Education Association; and the Penn State Continuing Education Vice President's Award for Outstanding Leadership and Service.

A native of South Dakota, Mr. Froke has worked in radio and television in Japan, South Dakota, and Illinois. He has taught at the University of Illinois and has been associated with Penn State since 1959.

For all of these achievements, I salute Mr. Froke and urge my colleagues to also recognize his considerable achievements.

PEDRO PAN ALUMNI GIVE BACK TO THE COMMUNITY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, the adult alumni of Pedro Pan, a 1960's foster care program for Cuban refugee children who arrived in America without their parents, is working to give back to the community. On December 12, 1991, the alumni of Pedro Pan met at Charade restaurant in Coral Gables, FL, to enjoy the holiday together and to raise money for a scholarship fund. The Miami Herald printed a story about the Pedro Pan event written by staff writer Karen Branch. That article follows:

The grown-ups of Pedro Pan—a 1960's foster care program for Cuban refugee children arriving here without their parents—gathered Thursday night to lend a hand to Hispanic students in Dade.

The fund-raiser at Coral Gables' Charade restaurant established a \$5,000 beginning for Pedro Pan scholarships at Miami-Dade Community College, which will match the money.

"The Pedro Pan program saved many children from communism," said Miami-Dade Wolfson Campus President Eduardo Padron. "Now Pedro Pan has the opportunity to save many children from ignorance."

Between 1960 and 1962, Operation Pedro Pan helped more than 14,000 children who fled Cuba for the United States without their parents after Fidel Castro took power. While awaiting to be reunited with family members, some of the kids were taken in by foster parents around the nation. Others went to Catholic-run orphanages.

Maria Magda de Quesada landed in a Pueblo, Colo., orphanage. She was 12. She helped the younger girls write letters home to their parents. It was two years before she saw her own.

"I didn't really know if I would ever see them again," said de Quesada, 42, a makeup artist at Saks Fifth Avenue in Dadeland Mall and a Pedro Pan Foundation board member.

Miguel Pelayo, now 42 and sales director for a plastics company, spent a year in a Saginaw, Mich., orphanage. "The hardest part was at night, remembering my family and not knowing what was happening to them."

The Pedro Pan adults traded tales of homesickness, of muddling through grade school while learning English, of long-yearned-for reunions.

"I saw my father when I was 17," said Antonio Amador, 43, now a CPA, who spent 3½ years in Dade refugee camps. "By then I had a mustache. 'You have to shave!' were the first words out of his mouth."

They call each other siblings. Similarly, Ramon Grau, 65, and his sister Polita—who spent 34 years between them in Cuban jails for their roles in the Pedro Pan program—were greeted like parents.

Grau said he got involved because, after sending out his own three children, he found other parents who didn't have the means to do so.

"Now," Grau said, "we're going to help Hispanic kids so they can study, for those who don't have the means."

The burgeoning scholarship fund promises to be a great help to many college bound students in south Florida. I commend the leadership of the Pedro Pan board of directors which includes: Carlos Alamilla, Ramon Grau, Frank R. Martinez, Maria Magda De Quesada, Jorge Vina, and Polita Grau. I wish them much success with the scholarship fund and with their other worthwhile community efforts.

RECOGNITION OF THE OFFICE OF FARMWORKER MINISTRY ON ITS 20TH ANNIVERSARY

HON. JIM BACCHUS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. BACCHUS. Mr. Speaker, I am proud today to recognize the 20th anniversary of the Office of Farmworker Ministry to Apopka, FL. I celebrate the many successes this organization has enjoyed and look forward to their continued community service.

The focus of the ministry is to foster the human dignity of the farmworkers in central Florida, the rural poor, and their families. The Catholic Diocese of Orlando led the charge to

establish the Office of Farmworker Ministry and it is through their dedication and commitment that the Office of Farmworker Ministry serves its vital role in our community. In addition, the Office of Farmworker Ministry seeks to empower workers to become self-sufficient, to obtain personal and comprehensive health services, and to improve their quality of life. Finally, the Office of Farmworker Ministry has helped low-income people purchase homes. It has also sought to increase their financial responsibility by organizing a credit union.

Mr. Speaker, since its inception, the Office of Farmworker Ministry has provided comprehensive medical and dental care to more than 25,000 patients. It provides critical services to the farmworkers of central Florida. I proudly join in this celebration with the Sisters of Notre Dame de Namur, Sisters Ann Kendrick, Cathy Gorman, and Gail Grimes, and congratulate them on the first 20 years of the Office of Farmworker Ministry.

A TRIBUTE TO SILVERADO SKIES ART GALLERY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize the Silverado Skies art gallery, which art fosters the spirit of American Indians and the old Southwest. Roberta Backus Turner and her husband Lawrence Turner recently opened the gallery in The Falls shopping center in south Florida because of their passion for the Southwest. In a Miami Herald article entitled, "Art Dealers Offer a Taste of U.S. Southwest," Anthony Faiola reports on walls and halls of Silverado Skies:

The spirit of American Indians and the old Southwest fill the walls and halls of Silverado Skies art gallery at The Falls shopping center.

The gallery, at 8888 SW 136th St., opened last month. It offers sculptures, paintings, prints and jewelry in the rich folklore of Indian tribes of the American West.

The owners—Roberta Backus Turner and her husband, Lawrence Turner—do their buying wholesale from artists based mainly in New Mexico and Arizona to offer the original works at prices not above what one would pay to buy from the artists themselves.

Still, with artworks ranging in price from \$600 to \$30,000, the couple expect most of their customers to be true collectors.

"Mostly, I expect the serious collectors," said Lawrence Turner, who runs an environmental consulting company. "We don't sell inexpensive pieces. We have no posters or anything like that. Our customer will be someone who knows about art and is looking for Southwestern works."

The name Silverado Skies is a whimsical combination derived from two loves of the owners: Silverado wines and the sky of Santa Fe. They visit the city twice a year and always in August for the city's Indian Market arts festival, where they buy for their private collection and now for their gallery.

"I believe in another life I must have been an Indian," said Roberta Turner, who runs an advertising and marketing firm. "Indian art represents the very basic beliefs of re-

spect for animals, nature and the spirits. It's everything that's important in life."

The gallery ran its first art show Thursday through Saturday, exhibiting works from Santa Fe artist Star Liana York.

Many of York's works, featuring sculpture of American Indians and other people from the West, are inspired from real people she has met during her seven years in Santa Fe, where she moved to after growing up in suburban Washington, D.C.

One work, depicting two rugged cowgirls, came out of a meeting with a 90-year-old New Mexican woman rancher. Another, Medicine Woman, was inspired by a woman York met while attending an Indian ceremony ushering a girl to womanhood.

I am pleased to recognize Silverado Skies and the owners, Lawrence and Roberta Backus Turner, and I would like to wish them much success with the progress of the gallery.

NATIONAL PRAYER VIGIL WEEK IN MARYLAND

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mrs. MORELLA. Mr. Speaker, the breakdown of the American family is a concern with personal, as well as, national ramifications. National Prayer Vigil Week provides an opportunity for us to join together to reflect on the important role of the family and to search for the means to strengthen our own families and those of our fellow Americans.

I commend American Mothers, Inc., and Janet Umhau, Maryland Mother of the Year, for their efforts on behalf of American families. I am also proud of the State of Maryland, under the leadership of Governor Schaefer, for holding a vigil in Maryland during the first week in February. Maryland's proclamation is as follows:

Whereas, throughout the annals of American history, national days of prayer and prayer vigils have been celebrated—as our Continental Congress first established a day to pray for this country and its people in 1775; and

Whereas, history also tells us that our colonists shared in fasting, repentance and prayer to seek guidance for the future and prosperity for a burgeoning and blossoming nation; and

Whereas, Maryland, the great "Free State," remains proud of our vibrant traditions of religious freedom * * * and we are equally proud of the valuable roles which Maryland mothers have played in strengthening the moral and spiritual foundations of the family and home; and

Maryland is pleased to join with American Mothers, Inc. in pausing to reflect upon the tremendous importance of healthy mothers and children to the future of America through this special annual National Prayer Vigil, as everyone participating strives to further nurture or rediscover the joy and security essential in our daily lives.

Now, therefore, I, William Schaefer, Governor of the State of Maryland, do hereby proclaim February 2-8, 1992 as National Prayer Vigil Week in Maryland, and do commend this observance to all of our citizens.

A TRIBUTE TO GIAN CARLO

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize a courageous young man in south Florida, Gian Carlo, who was born with a disease which makes his bones fragile and limits his growth. At 10 years old, Gian Carlo has more determination than many people have in a lifetime. In a Miami Herald article entitled "A Profile in Courage," Jon O'Neill reports on this special child who calls himself the "little Hulkster."

For Gian Carlo Vacchelli, being happy is a habit.

It's not always easy, though. Gian Carlo, 10, was born with a disease that makes his bones brittle and limits his growth. He spends most of his time—from 7 a.m. until 6 p.m.—strapped into a wheelchair. But even that's a victory of sorts.

"When I was born, the doctor told my mom I was going to die," Gian Carlo said. "But here you have me, still. The doctor was wrong."

Gian Carlo is a star student in Auburndale Elementary School's exceptional student program. His intelligence and his personality draw people to him like a magnet.

In a school of special kids, he's extra special.

"The day he graduates, I'll die," said his teacher, Millie Puig. "He's so very bright and such a joy to have. He's always cheerful and the other kids look up to him. Everyone loves him."

Gian Carlo seems to pay little mind to his disease, which causes him to break bones frequently. His acceptance and his disposition still amaze his parents, Ana and Luciano Vacchelli.

"For me, he's a blessing from God," Ana Vacchelli said of her only child. "I don't know how he does it. When we have a problem, he always tells us not to worry, that everything will be OK. He's more intelligent and wise than me or my husband."

Last week, Gian Carlo held court during a party at Auburndale given by the Coral Gables Kiwanis and the Downtown Lions Club. He watched as Santa arrived on a fire truck and signed a message to the deaf students. And he talked, which is his favorite thing to do when he's not watching sports.

"I love to talk," said Gian Carlo. "I always have fun, because in my life something bad almost never happens. I never have time to be sad."

Gian Carlo came to Auburndale about a year and a half ago from Peru, where he hadn't been able to attend school. From the start, he stunned his teachers. It took him about four months to learn English and by the end of this year, he should be caught up in all subjects.

"He's amazing," said assistant principal Myra Silverstein. "He knows all about the world and everyone who meets him is captivated by him."

When Gian Carlo turned 10 on Dec. 16, the class gave him a surprise party.

"I got lots of presents," he said. "My mom couldn't believe it. But I play with all of them every day."

Because of his personality, Gian Carlo usually lands the starring roles when the kids put on plays.

"I think I might be a TV star," he said. "I don't get nervous about going on TV, because I am very confident in myself."

Gian Carlo's favorite thing in the world is sports, especially football and wrestling. He scours the sports section of The Herald, trying to learn more about the teams he follows. He frets over the performance of the Miami Dolphins.

"They have to get that defense going," he said. "They have to do more, like forcing turnovers."

Gian Carlo idolizes wrestler Hulk Hogan. He can't wait until Jan. 6 so he can go to the Miami Arena and watch his hero take on the dastardly Ric Flair.

"I love Hulk," said Gian Carlo. "See, when I break an arm or something, I think about him, because he never gives up. And I don't either. I'm a little Hulkster. I'm a tough kid."

When he gets older, Gian Carlo wants to be a doctor—"because they make money"—or he wants to train wrestlers.

"I'll teach them to be like the Hulkster," he said.

Said his mother: "Sometimes, people ask me how I can do it. But I wouldn't change him for anything. He was supposed to die, but he wanted to live and he loves life. I'm so proud of him. I think people should envy me."

I am delighted to recognize Gian Carlo and I would like to express to him what a great inspiration he is to many of us. I want to wish Gian much success with his plans to become a doctor or train wrestlers, whatever he prefers to do.

10-POINT TAX PROPOSAL

HON. JOHN W. COX, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. COX of Illinois. Mr. Speaker, I am disappointed. Disappointed that in this time of crisis our President cannot see past party lines to envision the path of cooperation that our Nation's future depends upon. In Tuesday's State of the Union Address, President Bush chose to confront Congress, rather than provide the leadership we need to bring all of our Nation's decisionmakers to the negotiating table. He missed an opportunity to find our common ground.

The Nation's unemployment rate is breaking a 5-year record at 7.1 percent. The forecasted budget deficit for 1992 is \$362 billion. Economic recovery must be our top priority. We simply cannot continue politics as usual. The Federal Government must think beyond party affiliation and avoid offering sound bite solutions for our troubled economy. As a Nation, we need to debate the proposals as objectively as we can with a focus on long-term recovery, not on primaries and general elections.

I have designed a 10-point tax proposal to bring greater equity to our tax system and provide enhanced economic benefits to the 80 percent of Americans who have suffered from the tax cuts of the 1980's. I hope that I can contribute to the current debate in a thoughtful and cooperative way. My proposal is designed to pay for itself, and includes the following elements:

1) Relief of the tax burden on middle-income Americans;

- 2) A reinstatement of progressive tax rates;
- 3) An elimination of the limitation on losses of passive activities involving real estate;
- 4) A tax deduction on health insurance for the self-employed;
- 5) An offset of the regressivity of the Social Security Tax system;
- 6) A reinstatement of the Investment Tax Credit;
- 7) A tax credit for new home construction;
- 8) A permanent extension of the Low-Income housing Tax Credit;
- 9) A reinstatement of the Capital Gains Tax deduction;
- 10) And the promotion of higher education focused on math and science to assist the nation's research and development needs.

I am certain that the debate over advancing such a tax package will be fierce, but it is time to stop playing politics. We owe it to the American people to bring some kind of relief to their economic hardships. With the unemployment rate in Rockford, IL almost two points higher than the national average, I am fully committed to finding real solutions.

A TRIBUTE TO JOAN SCHWARTZMAN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to recognize Ms. Joan Schwartzman who has spent 33 years of service at Temple Beth Am in south Florida. In a Miami Herald article entitled, "Bidding Fond Farewell to a Special Friend," Bea Hines reports on the wonderful statements made by many of her colleagues, including Rabbi Herbert Baumgard and Rabbi Jonathan Kendall, and her two sons, Steven and Barry, about Ms. Schwartzman's commitment and dedication to Temple Beth Am throughout the years. I commend the following article to my colleagues:

Joan Schwartzman—Ms. Temple Beth Am—has ended an era at the synagogue she watched grow from a multi-purpose, one-room building to one of the largest Reform synagogues in the Southeast.

Schwartzman, acting executive director, made her exit just as she has served: with humor and compassion.

"SHE IS AN INSTITUTION"

More than 400 people laughed and cried as friends and colleagues praised and roasted Schwartzman for 33 years of service to the synagogue.

"She is an institution," Cohen said. "We have gone through funerals and weddings and divorces—everything together."

Cohen, 45, is a former president of Temple Beth Am, 5950 North Kendall Dr.

His wife, Joan Lash Cohen, was only six when she first met Schwartzman.

"She [Joan] has been an inspiration to me. She gave us the bond and has kept it going from generation to generation," Joan Cohen said. "She has encouraged me through the good and bad times."

"Joan has established an ethic here that any family, regardless of their ability to pay, can be taken on as members," said Mel Rappaport, who with Cohen served as co-chairman of the dinner.

Schwartzman, who will remain in a consultant position with the temple, was 26

when she came to be secretary to Rabbi Herbert Baumgard in 1958. She has held some 35 positions at the synagogue.

TEMPLE WAS LIKE HOME

As a divorced mother, she practically raised her two sons at the temple.

Said son Steven, 33: "Mom was always doing something with the temple * * * it was like she worked two jobs, both for the temple."

"We grew up here," said son Barry, 37. "This, the temple, is where we lived. It was our second house."

To keep her eye on her energetic sons, Schwartzman enrolled them in the temple's day school. When they were older, she got them jobs on the temple grounds. Now two of her grandchildren attend school there.

Rabbi Herbert Baumgard, in his remarks, laughed when he referred to Schwartzman as the "temple playwright." Schwartzman is well-known among temple families for her funny scripts, which she often starred in.

ALWAYS THERE FOR A CHAT

And while some at the temple will remember Schwartzman as a person they could talk to straight from the heart, Baumgard said, "I will also remember her as a colleague who for over 30 years always tried to do whatever I asked, plus a little more."

Rabbi Jonathan Kendall, the temple's spiritual leader, said it was Schwartzman who helped to make his transition a smooth one when he came to Temple Beth Am more than two years ago.

"Each of us has some intimate contact with Joan," he said.

Schwartzman said it is her ability to listen to others and "never judge them" that has made her so well liked among the congregants. "Most people need someone to talk to," Schwartzman said. "I have always made myself available."

"A SENSE OF BELONGING"

She has stayed all these years, because of "my mentor, Rabbi Baumgard," the synagogue's founder and "because the temple has been all the things I need in my life."

Bob Berrin, temple president, called Schwartzman the temple's conscience. "People have said when they could not afford to be generous members of the temple, they came to Joan."

Berrin said a suite of administrative offices will be dedicated in her honor.

Said Schwartzman: "What privilege it has been to be a part of Temple Beth Am and watch it grow. I found a great sense of belonging here."

And in true Schwartzman fashion she said, "Belonging to Temple Beth Am is like the roach motel; once you check in, you can't check out."

Ms. Joan Schwartzman has certainly left a mark at Temple Beth Am. Ms. Schwartzman has been an inspiration to many at Temple Beth Am and I am sure to many citizens throughout south Florida.

CONGRATULATIONS TO ODESSA PERMIAN HIGH SCHOOL IN ODESSA, TX, ON THEIR SIXTH STATE FOOTBALL CHAMPIONSHIP

HON. LARRY COMBEST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. COMBEST. Mr. Speaker, today I rise to congratulate the Odessa Permian High School

in Odessa, TX, on their 1991 AAAAA—class 5 A—State football championship. The Panthers capped their perfect 16-0 season with a 27-14 win over San Antonio Marshall at Texas Stadium in Irving, TX.

The Permian Panthers also left their imprint on the national high school football rankings. Both USA Today and ESPN ranked the Panthers at No. 2 in the Nation in their final national high school football polls.

State championships and national rankings are nothing new to the Odessa Permian High School football team. The perennial Texas high school football powerhouse has captured one national championship, six State championships and made it to the State playoffs on 20 different occasions.

The Permian Panther Football Team excels at academics as well as winning football games. The varsity football players have a grade point average of 3.46. In addition, 24 percent of the varsity players have a 4.0 grade point average and 14 percent of the players are members of the National Honor Society. These successes can be attributed to a rock solid program which stresses a partnership in education—academics and football.

TRIBUTE TO MARTHA DODSON

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. HUBBARD. Mr. Speaker, I take this opportunity to pay tribute to an outstanding Kentuckian, my longtime friend, Martha Dodson, a beautiful and talented constituent of Russellville, KY.

Martha Dodson, 61, died last month on January 1 at Parkview Medical Center in Nashville, TN.

She was the widow of Dr. Carlisle V. Dodson and was the first licensed woman real estate broker in southern Kentucky.

Mrs. Dodson was a daughter of the late Alvis and Monico Allen Oakley and was born in Corinth, MS, June 15, 1930. She was a member of First Baptist Church, Russellville.

I always was honored to be Martha Dodson's friend. I liked and admired her a lot.

Martha Dodson was well known in Kentucky as a dedicated, hard-working lady whose intelligence, personality, and beauty made her special.

I proudly referred to her as my "cousin." My first cousin, Bertie Payne Oakley, is married to Norris Oakley, of Nashville, Martha Oakley Dodson's uncle.

Survivors are two outstanding daughters, Russellville attorney Elizabeth Wilson and Russellville pharmacist Carolyn Mallory, one stepson, Dr. Jim Dodson, a Russellville physician, and three grandchildren—Monica Mallory, Victor Dodson, and Julia Elizabeth Dodson.

A TRIBUTE TO BLOCKBUSTER AND ITS OVERSEAS CAMPAIGN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to recognize Blockbuster Entertainment Corp., a south Florida based company, for aspiring to expand the video market in Europe, Asia, Mexico, Japan, and other nations that are seasoned for this industry. Already dominant in the United States, Blockbuster begins to move aggressively into foreign markets.

In preparation for this expansion, Mr. Wayne Huizenga, chairman of Blockbuster Entertainment has employed Mr. Joseph Baccko to plan Blockbuster's overseas campaign. In a Miami Herald article entitled, "Blockbuster Gets Ready To Invade Europe," Ed Lopez reports on the rapid success of Blockbuster Entertainment Corp. I commend the following article to my colleagues:

BLOCKBUSTER GETS READY TO INVADE EUROPE

It was during a meeting with Japanese businessman Den Fujita that H. Wayne Huizenga, chairman of Blockbuster Entertainment Corp., got some advice on how to fill a key vacancy at the company.

"Boy, who you really have to get a hold of is this guy Baccko," said Fujita, chairman of McDonald's Japan and the executive behind various joint ventures with American companies. The name was unfamiliar to Huizenga.

Fujita's reference was to Joseph R. Baccko, president of the international division at Toys 'R' Us. Baccko and Fujita hammered out a joint venture with the toy retailer, just as Huizenga had struck a deal with Fujita to develop Blockbuster video stores in Japan.

Huizenga took down the name and contacted Baccko in November 1990.

Three months later, Baccko joined Blockbuster as president and chief operating officer. He replaced Luigi Salvaneschi, who had retired to teach at Barry University.

A NEW DIMENSION

With Baccko on board, Blockbuster gained his extensive experience in foreign markets and a deeper knowledge of retailing that the Fort Lauderdale company lacked.

"He brings us a dimension that we didn't have before, and that is the retail part of the business," Huizenga said. "We thought he might look at the business a little bit differently."

Paine Webber analyst Craig Bibb said, thus far, Baccko's retailing savvy has been his most visible contribution to the company.

"His domestic impact immediately is greater," he said.

To make customer selection of videos easier and faster, Blockbuster broke up long 20-foot aisles with general categories such as "action/adventure" into smaller sections with narrower subcategories such as "Clint Eastwood" or "Sylvester Stallone."

Shelving for items such as popcorn and candy has been positioned to channel customers to specific registers, much like supermarkets. Also, because the ends of aisles have high consumer visibility, new displays were added at these so-called "end caps" to promote videos intended for sale.

But as Blockbuster begins to move more aggressively into foreign markets, Baccko's

overseas experience will be of increasing value.

Last month, Blockbuster scooped up City-Vision PLC, Britain's largest video chain, with 875 stores. Blockbuster also has its eye on Europe, Asia, Mexico, Japan and other areas as ripe for expansion.

"We are the potential outside the United States, in the commercially developed part of the world, to be every bit as great—if not greater—than the United States," Baczkowski said.

"We're not going international because we have run out of space in the United States," he said, "It's always better to institute foreign expansion while undergoing significant expansion in the United States."

ALWAYS ON THE GO

Baczko, 46, knows the international playing field. He headed up the international division of Toys 'R' Us since it was formed in 1983, traveling as many as 200 days a year. He also was chief executive of the European operations of Max Factor & Co.

Baczko was attracted by the vitality of the industry, Blockbuster's leadership role and unrealized potential at the company. "And I don't know how to manage something other than growth," he said.

In Europe, most owners of videocassette recorders tape their own shows because retailing is so antiquated and product offerings so weak. Baczko said. As Blockbuster penetrates Europe, he said, the variety of video selections will increase for several reasons.

"Because of cultural sensitivities, the product must be either dubbed or have subtitles," he said. "As Blockbuster opens in Europe, Hollywood will make more product available because of the established distribution."

Hollywood will also benefit. As Blockbuster's rivals realize they must carry the same titles as Blockbuster to compete, the demand for videos from Hollywood will increase, Baczko said.

Blockbuster's entrance and initial expansion into Europe will most likely occur through joint ventures with other companies. That's because the pool of potential franchisees is smaller than in the United States.

While cultural differences do arise when doing business in foreign countries, they tend to be exaggerated, Baczko said.

"The rest of it is just commercially slugging it out," he added.

THE OVERVIEW

Nobody likes competition, and when a Blockbuster store goes up it may be viewed as taking business from someone. But Blockbuster's presence will ultimately help to expand the market and offer more choices for consumers, Baczko said.

In some situations, Blockbuster may simply have to overcome quirks of the local market, Baczko said. For instance, in Germany, video stores have a strong adult flavor so local laws require that the windows be painted.

"We're not going to open a Blockbuster store and paint the windows," Baczko said. "There's due process all over the world; it's a question of finding out how it works."

Blockbuster, which has a family-store image, doesn't carry X-rated videos.

Doing business overseas can entail a willingness to fight the system, to challenge existing ideas of how things are done.

"All the common wisdom is given to why something won't work," Baczko said.

HANDS-ON MANAGEMENT

Crucial to success are strong local managers who know the local scene and practice

continuous, hands-on management, Baczko said. "Retail is detail," he said.

In Japan, Blockbuster hopes to have its first 10 stores by the end of next year under a joint venture.

"They will give us all we really need to know about the economics and dynamics of store operations in Japan," Baczko said. "We will then go ahead and begin very aggressive development through joint ventures or franchises under the umbrella of the joint venture."

Though retail space in Japan can be expensive, that can be partly offset through higher rental prices, Baczko said. Also, high volumes of business are possible because shopping areas in Japan tend to be very densely populated.

"Here, we're used to pulling people in from 20 minutes away," Baczko said. "In Japan, within five minutes you have half a million people on top of you."

I commend Mr. Wayne Huizenga on the tremendous prosperity of Blockbuster Entertainment Corp., and I would like to wish much success to him and Mr. Joseph Baczko with Blockbuster's overseas campaign.

TRIBUTE TO THE PAGE MID-YEAR DEPARTURE CEREMONY

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to the organizers and participants of the U.S. House of Representatives "Page Class Departure Ceremony." I wish to express to them my gratitude at having been chosen to address such a dedicated group of young people.

The unfaltering commitment of these high school students has become an immeasurable asset to the House over the years. The performance of the departing pages for fall fully demonstrated the vibrant energy and eager willingness to learn as their honorable predecessors.

I wish to thank most heartily the principal, Dr. Robert F. Knautz, for allowing these students to be involved in such a distinguished program. I sincerely hope that he will continue to encourage young people to engage in this little-mentioned, but much-appreciated service.

Again, Mr. Speaker, I rise to pay tribute to the departing pages for fall. They are among the brightest young men and women that our country has produced. I wish them the best of luck. May they know how very proud I am of them.

TRIBUTE TO SUPERVISOR MARC DEL PIERO

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 3, 1992

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to an outstanding leader and tireless public servant from California's 16th Congressional District, Monterey County Super-

visor Marc Del Piero. I am pleased to have this opportunity to express my sincere appreciation to Marc for his endless hours of hard work and also share with my colleagues the many contributions Marc has made in his service as a community leader.

Marc Del Piero was born in Watsonville, CA, to a family that has farmed in North County for over 70 years. In 1975, Marc received a bachelor of arts in history and a law degree in 1978, both from the University of Santa Clara. Before graduating from law school, Marc became the youngest member of the Monterey County Planning Commission and in 1981, he became the youngest member of the Monterey County Board of Supervisors. Marc Del Piero used this to his advantage in his service to the community.

While serving on the board of supervisors, Marc has proven to be a tremendous force in the community he represents. One of the most salient issues that Marc has been committed to is the protection of the environment. For 11 years, he has served on the Monterey Bay Unified Air Pollution Control District. His continuing support for the protection of the magnificent coastline along the 16th Congressional District has been invaluable. He has served on committees to establish the Elkhorn Slough National Estuarine Reserve and the steering committee for establishing the Monterey Bay National Marine Sanctuary. Marc cofounded the Central Coast Regional Board of Control, a six county organization established to oppose offshore drilling off the Santa Cruz-Monterey coastline. He created essential sections of the north Monterey County local coastal plan and Monterey County general plan and established major coastal resource protection regulations.

Marc initiated the first comprehensive groundwater studies in north Monterey County and adopted strict groundwater well protection standards. He was successful in gaining grant funding for four community sewer systems and water systems in north Monterey County.

Marc has been a champion in improving the quality of life for the citizens of Monterey County, specifically the senior citizen community. He initiated and funded senior citizens nutrition programs for the residents of North Salinas. He established, funded, and constructed the Prunedale Senior Citizen Center and purchased and built the Porter-Vallejo Community Center in Pajaro. This facility includes both a senior citizen center and a day-care center for migrant farmworker's children.

Marc Del Piero's outstanding leadership qualities have emerged in every facet of his life. He organized the Pajaro-Sunny Mesa Community Services District and the North Monterey County Fire Protection District. He is the cofounder of the North Monterey County Mother's Club Highway 101 Bypass Committee, the founder and first chairman of the board of directors of the Monterey County Agricultural and Historical Land Conservancy, and established and funded the Community Resources Network of North Monterey County.

From 1978 to 1989, Marc served as a captain in the California Army National Guard. Presently, Marc lives in Salinas with his wife, Tina, and their two sons, Paul, 5, and John George, 2.

Mr. Speaker, the welfare of our country depends on the ability of our local community

leaders to be creative, enthusiastic, and tenacious. Marc Del Piero encompasses these exact qualities and applies them to accomplish anything he sets his mind to. His remarkable dedication as a community leader is clearly apparent in his extensive involvement with numerous issues directly and indirectly affecting Monterey County.

Marc will be leaving the board of supervisors of Monterey County to fill the attorney's position on the State Water Resources Control Board. I am convinced that he will be as much of a benefit to the State as he has been for the 16th Congressional District of California.

Mr. Speaker, I ask my colleagues to join me now in recognizing Marc for his selfless performance as a Monterey County supervisor and for his abundant contributions to Monterey County, the State of California, and the Nation as a whole.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, February 4, 1992, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 5

9:00 a.m.
Labor and Human Resources
Business meeting, to mark up S. 1729, to require drug manufacturers to provide affordable prices for drugs purchased by certain entities funded under the Public Health Service Act, S. 1523, to authorize funds for programs of certain Institutes of the National Institutes of Health, and S. 2055, to revise the Job Training Partnership Act to strengthen the program of employment and training assistance under the Act. SD-430

9:30 a.m.
Select on Indian Affairs
Organizational meeting to consider committee rules of procedure and the committee's agenda for the second session of the 102d Congress; to be followed by an oversight hearing on the implementation of the Indian Gaming Regulatory Act. SR-485

10:00 a.m.
Budget
To hold hearings on meeting America's domestic needs. SD-608

Foreign Relations
To hold hearings on an overview of foreign policy. SD-419

Governmental Affairs
To hold hearings to examine the effectiveness of the President's plan for managing government and the economy. SD-342

1:30 p.m.
Armed Services
To hold hearings to examine U.S. efforts to assist the former Soviet Republics in dismantling their nuclear and chemical weapons and preventing their proliferation. SR-253

2:00 p.m.
Budget
To hold hearings to examine the fiscal year 1993 defense budget, focusing on U.S. responses to a changed world. SD-608

Foreign Relations
To hold hearings on the nomination of Parker W. Borg, of Minnesota, to be Ambassador to the Union of Burma (Myanmar). SD-419

Select on Intelligence
To hold closed hearings on intelligence matters. SH-219

Commission on Security and Cooperation in Europe
To hold hearings to examine the prospects for peace and human rights developments in the Yugoslav republics. SD-192

3:00 p.m.
Foreign Relations
East Asian and Pacific Affairs Subcommittee
To hold hearings to examine current U.S. policy toward Burma. SD-419

3:15 p.m.
Foreign Relations
African Affairs Subcommittee
To hold hearings to examine the emergency situation in Zaire and Somalia. SD-106

FEBRUARY 6

9:30 a.m.
Armed Services
To hold hearings to examine military conversion in the Russian Revolution. SR-222

Energy and Natural Resources
To hold oversight hearings on the Hawaiian Homes Commission Act. SD-628

10:00 a.m.
Banking, Housing, and Urban Affairs
Consumer and Regulatory Affairs Subcommittee
To hold hearings to examine the Federal Government's efforts to pursue financial institution fraud. SD-538

Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1993 budget, and to examine the economic outlook. SD-608

Commerce, Science, and Transportation
To hold hearings on the nomination of Barbara Hackman Franklin, of Pennsylvania, to be Secretary of Commerce. SR-253

Foreign Relations
East Asian and Pacific Affairs Subcommittee
To hold hearings to examine U.S. policy toward North Korea. SD-419

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Office of the Architect of the Capitol, the Capitol Police Board, and the Government Printing Office. SD-116

Governmental Affairs
To continue hearings to examine management and budget problems in the U.S. Government. SD-342

11:00 a.m.
Joint Economic
To hold hearings to review the economic report of the President. SD-628

11:30 a.m.
Judiciary
Business meeting, to consider pending calendar business. SD-106

2:00 p.m.
Finance
Taxation Subcommittee
To hold hearings to examine the tax system's long-term effect on the cost of capital and the international competitiveness of U.S. business. SD-215

2:30 p.m.
Foreign Relations
To hold hearings on a report on the situation in four former Soviet Republics possessing nuclear weapons. SD-419

FEBRUARY 7

9:30 a.m.
Joint Economic
To hold hearings to examine the employment/unemployment situation for January. SD-106

10:00 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Library of Congress, and the General Accounting Office. SD-116

FEBRUARY 18

2:00 p.m.
Judiciary
Courts and Administrative Practice Subcommittee
To hold oversight hearings on problems with asbestos litigation. SH-216

FEBRUARY 20

10:00 a.m.
Labor and Human Resources
Aging Subcommittee
To hold hearings on nutrition screening for the elderly. SD-430

FEBRUARY 21

- 10:00 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings to examine possible Soviet space assets which may benefit the American space program.

SH-216

FEBRUARY 25

- 9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Disabled American Veterans.

345 Cannon Building

- 10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture.

SD-138

FEBRUARY 26

- 2:30 p.m.
Select on Indian Affairs
Business meeting, to mark up S. 1602, to ratify a compact between the Assinibone and Sioux Indian Tribes of the Fort Peck Reservation and the State of Montana; to be followed by an oversight hearing on the President's proposed budget estimates for fiscal year 1993 for Indian programs.

SR-485

FEBRUARY 27

- 9:30 a.m.
Veterans' Affairs
To hold hearings on proposed budget requests for fiscal year 1993 for veterans programs.

SR-418

- 10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Transportation and related agencies.

SD-138

- 2:30 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the American Battle Monuments Commission, the Selective Service System, and Army Cemetery Expenses.

SD-138

MARCH 3

- 9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Veterans of Foreign Wars.

345 Cannon Building

- 10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Agricultural Research Service, the

Cooperative State Research Service, and the Extension Service.

SD-138

MARCH 5

- 9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Blinded Veterans of America, and WWI Veterans.

345 Cannon Building

- 10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Interstate Commerce Commission, and the Office of Inspector General.

SD-138

- 2:00 p.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Consumer Product Safety Commission, the Office of Consumer Affairs, and the Consumer Information Center.

SD-116

MARCH 17

- 10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Food and Nutrition Service, and the Human Nutrition Information Service.

SD-138

MARCH 18

- 9:30 a.m.
Select on Indian Affairs
To resume oversight hearings on the implementation of the Indian Gaming Regulatory Act (IGRA).

SR-485

MARCH 19

- 9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Science Foundation, and the Office of Science Technology Policy.

SD-124

- 10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Highway Administration, Department of Transportation.

SD-138

MARCH 20

- 10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Farmers Home Administration, the Federal Crop Insurance Corporation,

the Rural Electrification Administration, and the Rural Development Administration.

SD-138

MARCH 25

- 9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Neighborhood Reinvestment Corporation, and the National Credit Union Administration.

SD-116

- Select on Indian Affairs
To hold hearings on S. 1752, to provide for the development, enhancement, and recognition of Indian tribal courts.

SR-485

- 10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1992 for the National Highway Traffic Safety Administration, and the Research and Special Programs Administration, both of the Department of Transportation.

SD-138

MARCH 26

- 9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Environmental Protection Agency, and the Council on Environmental Quality.

SD-G50

MARCH 27

- 10:00 a.m.
Appropriations
Agriculture and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Animal and Plant Inspection Service, the Food Safety and Inspection Service, and the Agricultural Marketing Service.

SD-138

APRIL 1

- 9:30 a.m.
Select on Indian Affairs
To hold hearings on proposed legislation to authorize funds for programs of the Indian Health Care Improvement Act.

SR-485

APRIL 2

- 9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Deposit Insurance Corporation, and the Resolution Trust Corporation.

SD-116

- 10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1993 for the National Transportation Safety Board.

SD-138

APRIL 3

10:00 a.m.
 Appropriations
 Agriculture and Related Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Agricultural Stabilization and Conservation Service, the Foreign Agricultural Service, the General Sales Manager, and the Soil Conservation Service.
 SD-138

APRIL 7

10:00 a.m.
 Appropriations
 Agriculture and Related Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Agriculture, focusing on the Commodity Futures Trading Commission, the Food and Drug Administration, the Farm Credit Administration, and the Farm Credit System Assistance Board.
 SD-138

APRIL 8

9:30 a.m.
 Veterans' Affairs
 To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the AMVETS, American Ex-POWs, Jewish War Veterans, and Non-Commissioned Officers Association.
 SD-106

APRIL 9

9:30 a.m.
 Appropriations
 VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the National Aeronautics and Space Administration.
 SD-G50

10:00 a.m.
 Appropriations
 Transportation Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for Amtrak, and the Federal Railroad Administration, Department of Transportation.
 SD-138

APRIL 30

9:30 a.m.
 Appropriations
 VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Housing and Urban Development.
 SD-G50

10:00 a.m.
 Appropriations
 Transportation Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Transit Agency, and the Washington Metropolitan Area Transit Authority.
 SD-138

MAY 7

9:30 a.m.
 Appropriations
 VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Veterans Affairs, and the Court of Veterans Affairs.
 SD-124

10:00 a.m.
 Appropriations
 Transportation Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the U.S. Coast Guard, Department of Transportation.
 SD-138

MAY 14

9:30 a.m.
 Appropriations
 VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Emergency Management Agency.
 SD-124

10:00 a.m.
 Appropriations
 Transportation Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Federal Aviation Administration, Department of Transportation.
 SD-138

MAY 21

9:30 a.m.
 Appropriations
 VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the National Community Service, and the Points of Light Foundation.
 SD-116

10:00 a.m.
 Appropriations
 Transportation Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the General Accounting Office.
 SD-138

MAY 22

9:30 a.m.
 Appropriations
 VA, HUD, and Independent Agencies Subcommittee
 To hold hearings on proposed budget estimates for fiscal year 1993 for the Department of Housing and Urban Development and certain related agencies.
 SD-138

CANCELLATIONS

FEBRUARY 5

9:30 a.m.
 Energy and Natural Resources
 To resume hearings on two Federal Energy Regulatory Commission proposed rulemakings regarding pipeline service obligations (Docket No. RM91-11-000), and revisions to regulations governing authorizations for the construction of natural gas pipeline facilities (Order No. 555).
 SD-G50

POSTPONEMENTS

FEBRUARY 4

10:00 a.m.
 Budget
 To hold hearings in preparation for reporting the first concurrent resolution for the fiscal year 1993 budget, focusing on the Department of Energy's future in weapons production and technology transfer.
 SD-608